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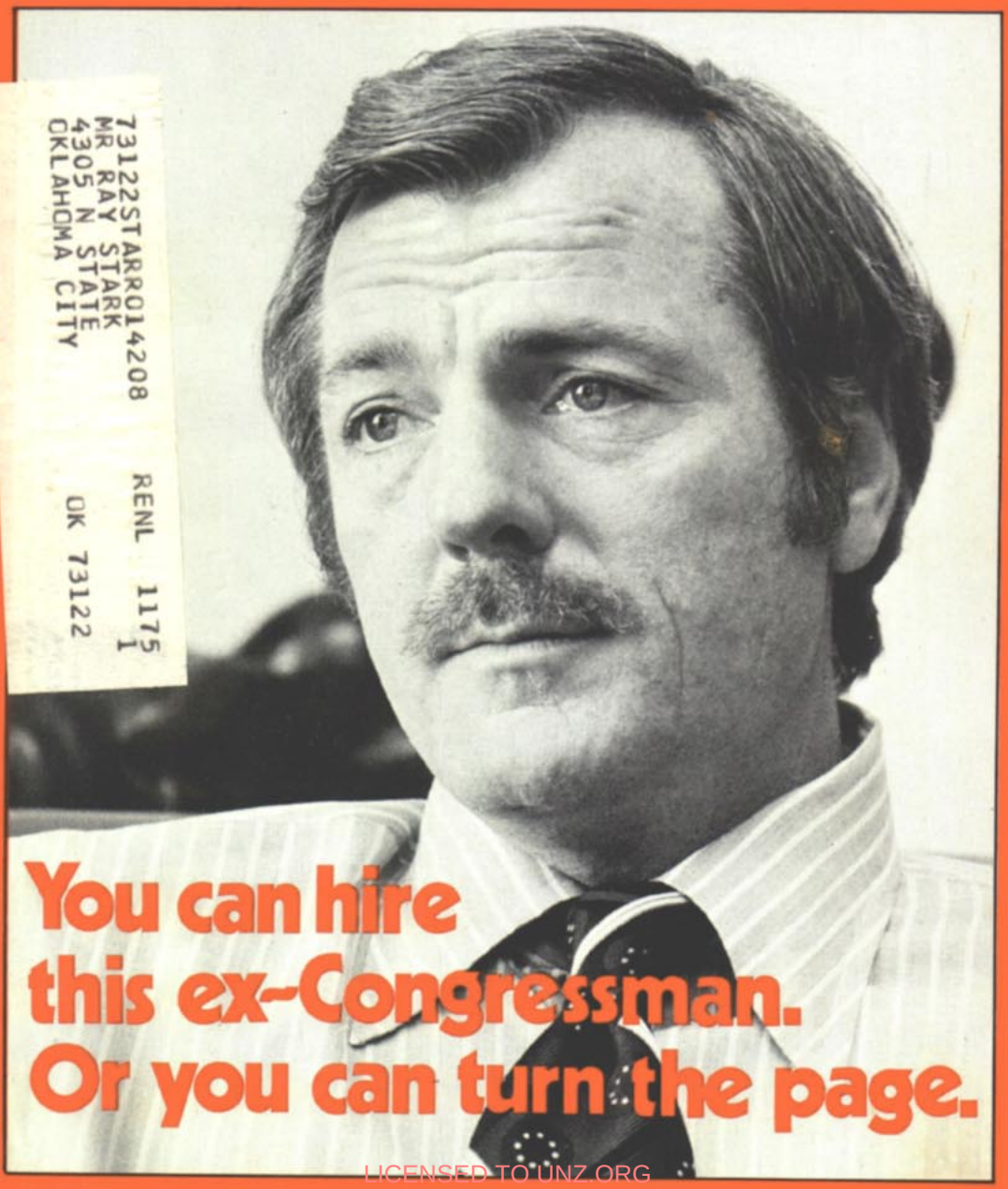

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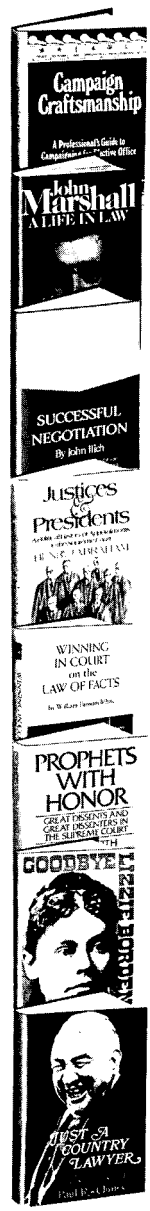

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Conning the Boss: The Art of Getting Away With Doing Good

by Richard Shell

Neither Roger Morris nor Thomas Hughes is a name that is instantly recognizable outside the narrow community of non-governmental critics and observers of American foreign policy. But within what might be called the foreign policy "shadow Cabinet," they are both important figures. One indication of their stature is that both have been associated with one of the shadow Cabinet's institutional bases, the Carnegie Endowment for International Peace. Hughes is the Endowment's president, and Morris, before his angry resignation last November, directed one of the Endowment's major programs.

Their story is typical of the way men become victims of their own organizational politics and illustrates how good men working on good programs can bring bitterness and back-biting to a respected foundation as they squabble over a project called, ironically, the Humanitarian Policy Studies Program.

Hughes and Morris are enemies now, quick to exchange insults, channeling their hatred into the cool medium of letters and memos. What originated as differences over the proper role of a humanitarian research program escalated into charges and countercharges of political interference, incompetence, bias, and so on. Morris angered both Hughes and student researchers by using Endowment time and resources to develop articles unrelated to the topic Hughes felt Morris should be studying, Bangladesh. Moreover, Hughes felt that Morris jeopardized the Endowment's reputation for objectivity with his controversial outside writings. An unstated concern of Hughes was that his own standing in the foreign policy community was threatened by all the controversy. Yet the story behind Morris' departure has no heroes and no villains. Compared to most members of the Washington foreign policy community, Morris and Hughes are not only more gifted than average, but are clearly "good men."

Morris resigned from the National Security Council staff in 1970 in protest over the Cambodian invasion. Since then he has upset the staid world of foreign policy analysts by daring to criticize individual decisions by specific officials in the State Department, rather than speaking in abstract terms about institutional failures. Take two of his best recent articles. In "Rooting for the Other Side," in the November 1973 issue of this magazine, he explained the role of "clientism" in the U. S. foreign service, a practice whereby State Department officials unconsciously become advocates for the countries they deal with. In mid-1974 Morris wrote for

Richard Shell is a Washington writer. This article was adapted from a manuscript submitted by him and from documents supplied by Thomas Hughes and Roger Morris.

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the *Columbia Journalism Review* a devastating critique of the way the press has lionized Henry Kissinger (the piece was also later reprinted on the op-ed page of *The New York Times*).

For his part, Hughes is generally considered to have been one of the more progressive and humane figures within the State Department over the last decade. Since coming to Carnegie, he has tried to transform the Endowment from an inbred and ethereal foreign policy institute, endlessly pouring over the Talmudic complexities of international law, into something more effective and "relevant."

But both men viewed the Carnegie's program as a way to further their own ambitions. Hughes wanted to lead an innovative—but ultimately respectable—foundation as the groundwork for realizing what is said to be his prime goal: to return to the State Department in a future Democratic administration as Secretary or Under Secretary. Through Carnegie, Hughes not only commands attention for his own work, but also gets reflected glory from everything published by the foundation, including *Foreign Policy*, a quarterly affiliated with the Endowment. Morris, on the other hand, simply hoped to become the Ralph Nader of foreign affairs.

For a while they worked harmoniously together to launch the program. But in recounting the events that led to the Morris resignation this fall, one is faced with the problem of reconciling sharply differing versions of the same events. Equally confident in their assertions, Morris and Hughes also share an eagerness to insult each other, as well as a fondness for making basic questions of fact a matter for intense debate. In their extensive written comments on an earlier draft of this article, both men inadvertently told us a good deal about themselves.

Constructive Criticism

Here's the way Hughes assessed his former employee: He charges Morris with an "abdication of his assigned responsibilities to manage the student program, his constant absenteeism in the fall of 1974, and his excessive personal writing coinciding with his continued non-performance on Bangladesh." One Morris article is described by Hughes as an act of "sensational self-subversion." He refers to Morris' program as an "administrative shambles." He made sure to bring to this magazine's attention criticism of Morris by two former employers, New York University and Senator Walter Mondale. In a parenthetical aside, Hughes points to a "memorandum from [Morris'] NYU supervisor. . . in the Carnegie files" attacking Morris' "absenteeism, failure to perform contractual commitments, and exploitation of the relationship for outside purposes." "Nevertheless," talent scout Hughes adds, "we gambled on Morris and hired him." Hughes also quotes Mondale as saying, "I always enjoyed working for Roger Morris, when he could spare the time."

Morris himself is not unwilling to take a few personal swipes at Hughes. Describing Hughes' background, Morris notes, "He was in government since 1961, mostly as State's Director of Intelligence and Research, where he attended the 303 Committee, the predecessor to the 40 Committee." Service on the 303 Committee (which coordinated covert intelligence projects) is the kind of left-wing guilt-by-association slander that is really meaningless until one knows what position Hughes took in the internal discussions of the Committee. The scattershot nature of Morris' invective is also illustrated by his disapproving mention that Hughes "was also fired from the Embassy in London in a dispute with Annenberg." For anyone who is not a right-wing ideologue, being fired by Walter Annenberg, *TV Guide* publisher and Nixon loyalist turned ambassador, would be something to brag about. And to prove that he was not the only one disliked by the student researchers, Morris also writes, "I have included a note, for example,

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from Bill Jelin [one of the student interns]. You'll note that Jelin says some positive things about the summer despite the 'hassles,' and regardless of 'what a schmuck Tom Hughes was.' "

Morris cast further doubt on his objectivity and reliability in this affair by offering contradictory statements on questions of basic fact. For example, Morris flatly denied a reference in an early draft of this article that he had joined Senator Walter Mondale's staff in 1970, after leaving the National Security Council, to work on domestic, rather than foreign policy. Earlier, in a taped conversation with me, Morris had said just the opposite: "When I did [join Mondale's staff], by deliberate choice I decided to work on non-foreign policy matters. I was really burnt out, disillusioned, and all the rest," referring to his quitting the NSC over the Cambodia invasion.

This is obviously a "who cares?" issue, which makes the total contradictions of the two statements especially unsettling. Unfortunately, this sort of thing is typical of how bureaucratic self-justification distorts one's view of the truth and of other human beings.

Starting Out Together

All this nit-picking and bitchiness is background—albeit necessary— to the main story of what drove Hughes and Morris to such an acrimonious separation. Both men came to the Endowment by different routes. They were both congenitally insiders, who had found themselves on the outside, and who still remained eager, in their own ways, to influence policy-making, to be close to the action.

Hughes arrived first, having been chosen to head the Endowment in 1971. At that time Hughes was serving as a member of the policy and coordinating staff of the State Department, where he landed after his departure from England in 1970.

Morris was hired by Hughes in July 1972 to start a new Carnegie project, the Humanitarian Policy Studies Program. Morris had left Mondale's staff just three months earlier to write a book and teach at New York University. But he parted ways with NYU after two months over a dispute on how much time he should spend at the university.

The idea for the Humanitarian Policy Studies Program originated when Morris, during his work with Mondale, became an admirer of Ralph Nader's public-interest approach to domestic problems. That kind of work was also needed in foreign policy, he decided, and he was the man to do it. Hughes had first met Morris in January 1972 and was sufficiently impressed to return six months later with an offer to join Carnegie. Attracting Morris meshed with Hughes' plans to revitalize Carnegie by assembling a team of innovative thinkers who could also attract public attention in Congress and the press to their liberal ideas on foreign policy. Along with Morris came Tony Lake, who had also resigned from the National Security Council staff after Cambodia and most recently had been working on the ill-fated 1972 Muskie campaign. In September 1972 Morris and Hughes formally agreed on the structure of the program, which would focus on two major "pilot" studies—Biafra and Bangladesh—but which would leave Morris room for "articles or short studies on an issue of the moment." Hughes later said that it was his understanding that Morris would consult him about topic selection and publication; Morris viewed things differently. Lake was scheduled to work on a third project involving Rhodesia. Using Nader as a model, student researchers would be an important part of these projects.

The ambition of those studies was different from the standard soldiered approach of think-tanks like the Brookings Institution; they were to "name names," and everyone hoped the studies would create maximum impact in the press when they were published. Although it fitted Morris'

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Naderesque ambitions, this emphasis on newspaper coverage was a departure for the Carnegie Endowment, which had traditionally produced technical monographs for specialists.

The Name Game

The Humanitarian Policy Studies Program represented an important break with tradition in a more threatening sense as well, for Hughes' and Morris' colleagues in the foreign policy world. Foreign policy debate is one of the refuges for the true metaphysicians. Although the policy critiques are intimately connected with what real people in the State Department are doing each day, by gentlemen's agreement debate is confined to the abstractions of policy, and steered away from the officials involved. You can maintain face within the community by holding virtually any intellectual position as long as you do not break the cardinal rule and criticize one of your colleagues in government directly.

Most importantly, the program was the first to consistently study foreign policy from a humanitarian perspective. It was thus to the credit of both Hughes and Morris that they were willing to undertake a research program that had as one of its purposes the destruction of this internal taboo.

Things at the Humanitarian Policy Studies Program began on a high plane. The first study, completed in June 1973, was about American policy (or lack of policy) toward genocide in Burundi, where the U. S. had "passed by" a tribal war in Central Africa which rivaled in sheer gore any other world slaughter except the Nazi extermination of the Jews. The study was published in the summer of 1973, and its conclusions were sharply drawn. It criticized specific people in the State Department, and it argued that humanitarian considerations had not been properly considered in framing American policy. The study not only made the news pages, but was also highlighted in Jack Anderson's column. Nearly a year later Anderson would do another column on Burundi, and Morris' rising stature was clear: "Roger Morris, a former Kissinger aide, is rapidly becoming the Ralph Nader of foreign affairs."

It was an outside article by Morris entitled "Rooting for the Other Side" which appeared in the November 1973 issue of *The Washington Monthly* that triggered the first crisis with Hughes. The article made a case against "clientism" in the foreign service—the phenomenon by which foreign service officers often transfer their conventional loyalties to the foreign country where they are stationed. One of the major illustrations he used was that the U. S. embassy in Lagos had suppressed damaging information about the Nigerian government when the Biafran war began. It was in response to this article that Carnegie began getting phone calls about Morris.

"This article provoked the antagonism of the Washington community," recalled Hughes in a later interview. "I got calls from outraged ambassadors, outraged foreign service personnel, who wanted to know what was going on. I called Morris in to tell him he was threatening the objectivity of his Biafran study." When the article was reprinted in the *Foreign Service Journal* and mailed to the 7,000 people who make up our foreign service contingent abroad, Hughes drew the line. "The other programs of the Endowment were in danger," explained Hughes. "I killed the Biafran study right then. I told Roger that he had lost any chance he had at turning out an objective study."

"Biafra was canceled only after Morris had so flamboyantly telegraphed his biases on the issue, to the most interested and critical audiences, that he had suicidally undermined his own credibility," Hughes wrote in a memo to *The Washington Monthly*. "After flaunting his clientism article in the *Foreign Service Journal*, there

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was no way he could have hoped to bring out a Biafra report that would have been perceived by knowledgeable readers as objective. We would have happily withstood criticism as such; but we reached the point where the author had done himself so much public damage on the issue that we could no longer conscientiously defend him."

What makes this over-heated attack on the article so bizarre is that there is no dispute about the facts Morris reported about the behavior of our diplomats in Lagos. Moreover, the discussion of "clientism" in regard to the Biafran war occupied only seven paragraphs of a much longer article. In his resignation letter, more than a year later, Morris charged, "It was not intellectual judgment on the merits that killed the Biafran project, but Washington gossip, innuendo, suspicion, fear, and ambition." He noted that a year's work on the subject was wasted.

The Biafra episode must have made clear to Morris that if Hughes couldn't back up criticism of our embassy in Lagos, it was highly unlikely that he would support criticism of bigger targets. From this moment, then, Morris began his practice of the art of getting away with doing good.

The problem was rooted in the vastly different goals which Hughes and Morris had always had for the Humanitarian Policy Studies Program. Both Hughes and Morris were deluding themselves, and each other, that these differences could be sheltered under the genteel conventions of foundation life. Hughes saw in Morris someone who would be innovative enough to help him rake the ivy off the Carnegie image, while still maintaining the Endowment's standing within the foreign policy community. Morris saw in Hughes someone who could provide him with the money, prestige, time, and researchers to do the kind of exciting, headline-grabbing work that could alter American policies—and turn him into another Ralph Nader.

Hughes clearly sought to combine flair with the continued approval of foreign affairs experts. Later, when Morris' attacks on Kissinger and foreign service officials aroused the wrath of professionals, Hughes looked for ways to rein in his troublesome subordinate. And despite denials by Hughes, it seems evident that Morris could not have taken such outspoken positions unless the trustees of the Carnegie Endowment were mollified by words of reassurance from Hughes about that nice, responsible young moderate, Roger Morris.

Morris, on the other hand, had his own delusions—besides grandeur. Contemptuous of the usual "foundation rip-off" study, Morris characterized such institutions as Brookings as engaging in "intellectual masturbation," producing dessicated monographs which have no impact outside the tight little foreign affairs community. Knowing this, he should have recognized intuitively that putting these ideas into practice was not apt to be popular for long in such a basically staid organization as the Carnegie Endowment—especially in the face of official criticism.

It is easy to suggest that Morris and Hughes should have been more honest with themselves and each other. Instead one must realize that both decided that they could accomplish more good (both institutional and personal) by bending their somewhat vague mandates as far as they could in the direction that they wanted the Endowment and the program to go. If he wanted to reform Carnegie, Hughes had little real choice but to behave this way. But he also knew that he could go only so far. Hughes, after all, is primarily an administrator rather than a writer or critic; if he lost his job at Carnegie he might have a more awkward time finding an organization to direct than Morris, in similar straits, would have finding other opportunities to write. Morris, for his part, was probably unrealistic in believing that he could avoid the inherent procedural conservatism of any mainline

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foundation. Given the contradictions of his own conception of himself—modeling himself after Ralph Nader on the one hand and craving the security of having a patron on the other—some of his problems were inevitable. Although Nader has received some foundation money, he has always taken it only on his own terms, avoiding situations which might compromise his freedom of action. But Morris insisted on having it both ways and in the end was left with little.

The history of the Humanitarian Policy Studies Program shows the dangers of bending the rules while trying to stay in the game. It is important to recognize that this bureaucratic stratagem is even more common to government than it is to the world of non-profit research institutions. In a sense, virtually everyone who engages in the game becomes like the house slaves of the antebellum South, shuffling and saying, "Yes, Massa," at the same time they were stealing pies from the kitchen. It is easy to understand the impotence the administrator of any large government agency fears, knowing that perhaps ten levels of officials, all of whom are conning the boss, stand between him and the actual administration of the policy which he has just ennunciated. If everyone is bending instructions just a trifle, his carefully considered policy to move the agency two degrees to the left will become unrecognizable by the time it filters down to the Maoist in the mailroom. If the events at the Carnegie Endowment took on somewhat of a farcical tone, it is easy to understand what things would have been like if Hughes and Morris went to battle separated by phalanxes of GS-13s, GS-14s, GS-15s, and GS-16s.

Raising Hell

Other than the Burundi study, Morris completed only one other project while at the Endowment. Published in March 1974, *Disaster in the Desert* highlights the concern of Morris and his researchers over the continuing drought and famine in the countries of the Sahel and the United States' policy of too little too late, in response to the situation. This was the most influential document produced by Morris and his researchers, receiving wide attention in and out of the government and leading to Senate hearings, which helped increase U. S. aid to this region by at least $25 million.

But the report did one thing more, and that was to make the Endowment realize that it could be even more damaging to have Morris author publications *with* their approval and imprimatur than without. One of the major sources of pressure on the Endowment was Bradford Morse, the former Massachusetts congressman who is now the number two man in the United Nations secretariat. One of the many groups *Disaster in the Desert* criticized was the United Nations Food and Agricultural Organization, although most of its fire was aimed at AID. Bill Maynes, one of the major staff members at Carnegie, is a protege of Morse, and, as Morris puts it, "Brad Morse raised holy unmitigated hell with Maynes—putting the pressure on the Endowment to criticize the publication." Maynes, however, defended the study, and Hughes claims that he and other Endowment officers backed the report.

The barrage of criticism aimed at Morris in all likelihood created pressure to do something about Roger Morris. Since even studies of American policy toward obscure countries had left him vulnerable to the cries of anguished officials, Hughes decided to define even more rigorously just what "humanitarian" would mean in the context of Humanitarian Policy. A host of new subject suggestions by Morris—aimed in part to give projects to student researchers—was summarily rejected by Hughes. He later explained, "The turn-down of new sub-

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jects for Morris, belatedly, was designed to deprive him of any further possible excuses for failure to produce on Bangladesh"—along with Biafra the two major studies agreed to at the program's beginning.

It is easy to understand why Morris would not have, under his new restrictions, wanted to work on Bangladesh, since completion of that study might mean the end of his relationship with the Carnegie Endowment. The longer Bangladesh took, the longer Morris could enjoy the support, both financial and logistical, of the Endowment. He was aided by a May 1974 board resolution which extended the Bangladesh deadline until June 1975. By using the Carnegie name—and its prior reputation for noncontroversial monographs—Morris was able to get access to middle-level State Department officials who are generally off-limits to the press.

There was also a less self-interested reason why Morris objected to Carnegie's refusal to fund any new projects. Without new studies, the students who had already been recruited for the summer of 1974 would arrive in Washington and find there was little for them to do. Even though Hughes had rejected all the new proposals, Morris, for some reason, interpreted the response as a go-ahead signal for still other projects.

Twelve interns came to work at the Endowment last summer. Three months later the interns left, bitter about their experience. Said one, "We thought we were coming to Washington to work for the good of the country, but we turned out to be working for the good of Roger Morris. We were lied to, deceived, and pushed around."

Morris divided the students into three groups—one each to study food, foreign affairs and the press, and Chile. About three weeks into the summer, two students were discussing press coverage of Biafra outside of Hughes' office when the Endowment president overheard them. When he realized they were not working on Bangaldesh, Hughes ordered Morris to cancel the other programs. Morris protested that this would leave the students without anything to do. Morris' response to Hughes' order was interesting, particularly in light of what he had written about the accomplishments of the student intern program in the Endowment's 1974 annual report: "I think we have disabused several young people of a somewhat conspiratorial view of American policies, institutions in general, and foreign policy in particular." Morris reportedly called a staff meeting to tell students to continue to work in their respective areas, but to inform anyone who inquired that their work related solely to Bangladesh.

The students were a bit confused, but they went along. They continued with their research—in two cases going on week-long trips at Carnegie expense to Chicago and Nashville—but it was only a matter of time before things came to a head. The climactic event occurred one day in late July when Hughes caught a researcher duplicating a Morris manuscript for *Rolling Stone*. Hughes exploded and fired her. Even at this point, despite later denials, Morris continued his hidden activities. At one point, an assistant even instructed the students to leave the Endowment by a rear entrance so they could carry their research materials away with them. This was too much, even for the confused and compliant students. As a defiant gesture, they left by the front door—research and all. One student explained later, "I've had enough peace and humanitarianism to last me for a couple of years."

Dueling Memos

Over the next few months, Hughes searched for a way to fire Morris without causing the kind of controversy in the press and with his board that he has tried so hard to avoid. One especially troublesome area for Hughes may have been two

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sharply anti-Kissinger articles that Morris wrote for the *Columbia Journalism Review* and *The Washington Monthly* in May and June, respectively. Hughes may well have agreed with much of the articles' criticism of Kissinger, but the double-barreled blast from a Carnegie employee was bound to appear unseemly in the eyes of Hughes' respectable constituency. What made matters worse was that the article which appeared in this magazine was also critical of State Department correspondents Marvin and Bernard Kalb—which for a potential Secretary of State is akin to a Broadway producer sponsoring an attack on Clive Barnes or Walter Kerr.

To get rid of Morris, Hughes sought to find a bureaucratic solution, as ex-government officials are wont to do. In mid-October he prepared a "memorandum of understanding" regarding the terms on which Carnegie employees could publish outside of the Endowment. Aimed almost exclusively at Morris, it states that "the Endowment reserves the right to claim or forego credit on publications produced at any time which were drawn from research data derived from Endowment employment, entree, and auspices."

Shortly thereafter, Morris resigned, claiming in a 15-page letter that he had been unreasonably restrained. "It was a paranoid and quixotic letter," said Hughes, "The board of trustees did not even discuss it." In his letter, Morris complained about "conditions of abuse" and "insults." He received a letter from Hughes in return telling him that he was "sad but not surprised" at his sudden departure. Today Hughes insists that the Humanitarian Studies Program is not dead. He points to a few remaining projects.

Unfortunately, the controversy doesn't end here. In recent months Roger Morris has published two articles which seem to be derived from the students' sub rosa research projects, without giving proper credit to the Carnegie Endowment. One was an article on U. S. food policy, "Why Leave It to Earl?", which appeared in the November 1974 issue of *The Washington Monthly*. The article carried the by-line of Roger Morris and Hal Sheets, a Morris protege at the Endowment, and it was stated that "this article was written without any institutional sponsorship." The second article dealt with the press' coverage of Allende's Chile and appeared in the November-December issue of the *Columbia Journalism Review*. Neither article was discussed with Hughes. These articles were a clear violation of Hughes' mid-October memorandum on outside publication. Morris' article for this magazine, however, had already gone to press when the memorandum was written, and Morris had left the Endowment by the time the *Columbia Journalism Review* article appeared. In any case, the dispute here is not a legal one, but an ethical one. As one student—who didn't get any credit for the food article—put it, "It certainly is a coincidence that the food article came out just after we spent all summer working on it."

Appropriating the work of student interns and full-time employees is an all too common practice in Washington as well as in academia. In effect, congressmen do it all the time when they use ghost-written speeches and publish ghost-written articles. I recently applied for a job at another newly funded center and was sailing through the job interview until I asked innocently, "Can I write articles about the research I will be doing here?" The answer from the head of the center, who is a writer of some note with his own reputation to maintain, was, "Absolutely not, I want to keep all of that for myself."

Far more serious than the failure to give credit to the students was the failure to mention that some of the research—particularly the out-of-town trips—was paid for by the Carnegie Endowment. Both Morris and Sheets—who co-authored the food piece—vigorously deny the implication that

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they used the Carnegie resources in any way. According to them, the material used for the food article was from the public record, and Sheets says he re-researched the students' work in order to avoid a charge of exploiting Carnegie resources. Of course the task of finding the original sources was done by the students, so Morris and Sheets got their bibliography on a silver platter. Similarly, Morris claims that the research for his Chile article in the *Columbia Journalism Review* was done after hours and on weekends by his two student research assistants. This becomes more difficult to believe, however, when one notes the trip Carnegie students made to Vanderbilt University's videotape library in Nashville and the easy familiarity with which Morris detailed in his article even visual aspects of television coverage over a three-year period of the Allende regime.

Moreover, the use of student researchers raises important questions about reputations built on the legwork of others. Journalists usually don't have the luxury of having researchers doing laborious research for them, but writers like Morris, who has never lost the mind-set of the National Security Council, tend to take those kinds of benefits for granted.

Big Boss Man

Washington has a tendency to bring out the hidden Machiavelli in almost everyone. In the case of Roger Morris and Thomas Hughes, it is difficult to tell who was taken for a longer ride. Morris clearly exploited the Carnegie Endowment to the hilt and much of it was probably done to further his reputation as "the Ralph Nader of foreign affairs." Hughes, on the other hand, made effective use of Morris in publicizing the work of the Carnegie Endowment and seems to have gotten rid of him at only minimal cost to his own State Department hopes. There were some embarrassing moments along the way, but people like Morris, who get public attention, are supposed to be controversial. In a sense Morris and Hughes fooled themselves more than they fooled each other. But if Hughes came out a little better than Morris, he was still the original sinner in his frightened cancellation of the Biafra study. There may even be a further collaboration between Morris and the Carnegie Endowment, since Morris is now hard at work on the old, oft-neglected Bangladesh study, having promised the Endowment that he will turn something in to them even though he no longer wishes to be part of the Carnegie team.

What all this adds up to is something indigenous to so much institutional life in Washington, New York, university cities, and elsewhere across the country, wherever people gather in institutions to serve some larger end. Often the individual carnage and organizational failure is due not to insuperable obstacles but to the feeling of people up and down the line that they have to dissemble and manipulate and con the boss in order to get away with what they really want to do. Sometimes they are right. Perhaps Morris would not have been able to do his good work if he had been wholly candid with Hughes. But if that had been the case, perhaps Morris should have been willing, earlier in the game, to resign on principle. In the more typical case, however, a little bit of openness would go a long way. So often, if the employee only shows that he understands what most worries the boss about his work, he can find ways to avoid that point without giving up the heart of his effort. If someone in Morris' position can show that he understands what threatens someone like Hughes, and will do his best to avoid it, he will usually be able to do what he would otherwise have to hide. But to make this gesture of candor and understanding requires a basic faith that you are dealing with reasonable people, and that, unfortunately, is a faith that institutional life makes hard to sustain. ■

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Tidbits and Outrages

Closed Club

Bert Powers is one of those you love to hate for his role in killing some of the daily newspapers in New York City. But a new book, *Who Controls the Mass Media*, by Martin Seiden, explains that it isn't just printers' unions and stingy advertisers who make it nearly impossible for a major daily to get started these days:

An important factor limiting the entry of new dailies in the major cities is the relatively high fee required by the major wire services. . . . A subscriber has to put down a one-year advance and sign a five-year contract. The price of the service, however, is based *not* on subscriber circulation, which for a newcomer would be low, but on the size of the market in which he operates. In the large cities, this involves a very substantial annual cost for just one wire service. When combined with a one-year advance, this means that there is a very stiff entry fee, and double this sum for two major wire services.

Interestingly enough, both AP and UPI are owned by newspapers.

Frozen Government

Soaring anti-freeze prices demonstrate the way our government keeps right on top of emerging problems. The retail price of anti-freeze has tripled between 1973 and 1974. Bewildered consumers were writing Ralph Nader for an explanation. He assigned his associate, Frank Warner, to search the bureaucracy for an answer. Warner found that neither the Justice Department nor the Federal Trade Commission nor the Department of Transportation had conducted a study. Worst of all, the Council on Wage and Price Stability hadn't investigated the matter, either.

Honesty Is Its Own Reward

Leroy Aarons of *The Washington Post* provides another illustration of our passion for rewarding those who tell the truth about our organizations:

In late 1969 and early 1970, under orders from Joint Chiefs of Staff chairman William C. Westmoreland, Peers compiled a massive secret report on the slaughter at Mylai, based on the sworn testimony of 401 persons and covering 20,000 pages of transcripts and documents.

That report, part of which recently was declassified and part of which remains secret, found that "both wittingly and unwittingly," high-level officers sought to cover up the Mylai massacre of March, 1968, in which 175 to 400 Vietnamese noncombatants were slain by soldiers of the Americal Division.

In his report he named 30 individuals who by "omission or commission" allegedly shared culpability for the cover-up. Only 16 were charged, four went to trial, and three were acquitted. The cases against 12 others were dismissed.

But some people have theorized that the Mylai report damaged Gen. Peers' career. In October, 1971, he was transferred to Korea, fully expecting to become a four-star general and commander of all American forces there. Neither happened. He was passed over for promotion and remained deputy commander until his retirement nine months later.

Can't Buy Me Love

Those liberals who are outraged by Nelson Rockefeller's gifts to people working in his administration may be amused to see how noble the practice was made to sound when committed by one of their heroes, Adlai Stevenson:

To fill his top appointive offices with first-rate men, therefore, required of Stevenson a great persuasive talent and administrative ingenuity. In nearly every case the man he wanted could accept appointment only at a considerable financial sacrifice—and he felt himself to be partially responsible, in a personal way, for the sacrifices these others made. He sought to discharge this responsibility by making cash gifts at Christmas time to those whose services and sacrifices were greatest. For this he used his own money in part. He used, too, some thousands that remained in his personal campaign treasury (as a result of post-election fund raising) after all his campaign debts had been paid. But most importantly he used a fund of ten thousand or so which had been made up, on their own initiative, by Dutch Smith and others of his well-to-do Chicago friends. (He's down there fighting to give us decent government, using some of his own money to do it," said Dutch to his friends. "We have an obligation to help him out.")

—from *The Politics of Honor* by Kenneth S. Davis

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Corporations and State Taxes: The Big Ones Get Away

by James Rosapepe

To the average taxpayer, battered for years with reports of tax dodging by the nation's biggest corporations and richest families, new revelations of tax avoidance by the big boys tend to lack shock value. Nelson Rockefeller didn't pay a penny in federal income taxes in 1970. So what else is new?

But even the most cynical of us may be surprised by the estimate by some of the nation's top state tax officials that perhaps half the tax money legally owed state governments by the big corporations goes uncollected every year. "Avoidance of state tax liabilities by America's largest corporations has reached scandalous proportions," says Byron Dorgan, North Dakota's 32-year-old state tax commissioner. Lost revenue totals "hundreds of millions and perhaps billions of dollars," Dorgan estimates, and it is the result not of the legal forms of tax "avoidance" so characteristic of loophole-ridden state corporate tax laws, but of good old-fashioned, illegal, tax evasion. The reason they get away with it is simple: most states can't enforce the tax laws.

When Virginia changed its tax laws in 1972 from "straight line" depreciation to the much more generous "accelerated" depreciation allowed under federal law, state tax officials were surprised to find that most companies were not saving any money as a result of the change. After some inquiries, the officials discovered why: the companies had been using the "accelerated" depreciation schedules for years, in clear violation of Virginia law. But as the state's Deputy Tax Commissioner, Stuart Connock, explains, "The Department never checked, and the companies sure didn't volunteer the information."

A similar situation prevails in Illinois, which collected almost $235 million in corporate taxes in 1972. State Revenue Department official Harry Spellman told the *Chicago Tribune* last year that "if we spent $2 million [to improve the system], we could recover $50 million more." If the scale of evasion prevalent in Illinois is typical of that in the rest of the nation—and there is no reason to think it is not—non-payment of corporate taxes probably cost the 50 states over $700 million in 1972.

Corporate income taxes are not the only state taxes evaded on a large scale by businesses. For example, Albert Stoessel, former president of the Iowa Petroleum Association, esti-

James Rosapepe was staff director of Fred Harris' Tax Action Campaign.

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mates his state loses $50 million a year in uncollected diesel fuel taxes—a particularly hard area to enforce, since diesel fuel is chemically similar to non-taxed home heating fuel. Sales taxes are another area of undoubted abuse. Bill Brown of the Committee on State Taxation, a big-business group known as COST, claims, "There's a lot more sales tax revenue that they are not collecting than they have any idea. I say that on the basis of what the companies tell us in confidence." Illinois officials say they are losing around $25 million in cigarette tax revenue alone, and they won't even guess about total sales tax losses.

According to a 1974 report by New York State Comptroller Arthur Levitt, the state has been losing millions of dollars because the tax department has never collected from some 31,000 employers who have failed to turn over state taxes withheld from their employees' paychecks.

Taking Off the Gloves

Over the last few years several states have toughened up their enforcement efforts. Their experience demonstrates that massive corporate tax evasion is no myth—and that it is surprisingly easy to control.

Until 1973, Virginia had never sent its auditors to out-of-state corporate headquarters to check corporate tax returns. In the first year it started doing so, the state collected more than $1 million from 54 of the 6,000 multistate corporations doing business in Virginia. "In a lot of cases it was just a matter of dropping by the corporate offices to pick up the check," one Virginia tax official said. "They knew they owed us the money, but we'd never asked for it before." Fifty-four down, only 5,946 to go.

In North Dakota, Commissioner Dorgan's aggressive enforcement efforts increased the state's corporate tax receipts by nearly 30 per cent in two years. Since 1969 an average of 20 per cent of this revenue has been collected from audits, and Dorgan thinks he's just scratched the surface. Idaho, too, has collected 20 per cent of its recent corporate tax revenues through auditing, and the state's Chief Corporation Auditor, Frank L. Medlin, says improved enforcement efforts will soon yield even more "sizable tax recoveries."

But the best illustration of what a good auditor's division can do is in California. The state's Franchise Tax Board has 240 corporate auditors who collected an extra $51 million in 1972, including $35.8 million from field audits of 6,026 multistate corporations. To these substantial savings must be added the millions of dollars businesses paid voluntarily, aware that they were likely to be audited. Admitting in a *Wall Street Journal* interview that California has the toughest corporate tax enforcement around, U.S. Steel's Director, Arthur Hauser, said, "If we could get out of there, we would save a lot of money."

The most obvious difference between California's enforcement program and those in other states is its extensive network of trained auditors. In addition to its in-state staff, California has 200 field auditors located throughout the country, including those permanently based in offices in New York and Chicago. Idaho, by way of comparison, has six corporate auditors, all operating out of Boise. Even when the difference in the two states' population is taken into account, California clearly is devoting a greater effort to its program. You don't have to be a Wall Street tax lawyer to figure out which state ITT or GM is more likely to try to bilk at tax time.

Most other states resemble Idaho rather than California. Kentucky has 45 field auditors, who are responsible for auditing sales and personal income as well as corporate taxes. Vermont has 12. The deficiencies in Missouri's auditing operation are so great that U.S. District Court Judge William R. Collinson declared in a recent decision

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that "the enforcement of the tax laws in this state is notoriously lax and slipshod, apparently because the legislature will not appropriate the money to employ sufficient persons to even begin to adequately police the system."

"One of the facts of life is that most states are limited in resources," confesses Eugene Corrigan, executive director of the Multistate Tax Commission, a joint agency of 21 state governments. "They just can't afford the major operation of auditing a giant corporation." Corrigan points out that it's the multistate, and often multinational, corporations with dozens of subsidiaries that are the source of most state enforcement problems.

"We don't have the resources or personnel to go to New York and audit the tax books of U.S. Steel, for example," admits Missouri's state revenue director, James R. Spradling. "It takes highly knowledgeable, highly trained people to audit giant companies like that," adds Corrigan, "and most states just don't have them."

Closed Books

To solve that problem, the Multistate Tax Commission (MTC) was set up in 1967 to audit firms which operate nationwide. "These big corporations are not above telling different stories to each state—telling Illinois for example that certain income was produced in Indiana and telling Indiana the income came from Illinois," Corrigan explains. "What we are trying to do is joint audits for several states so a company can't do that." In the first nine months of the Commission's joint audit program, it recovered $2.5 million for the states from just ten corporations.

But as the states have closed in on the corporate tax evaders, North Dakota's Dorgan says, "We've run into really vicious resistance." A dozen of the nation's top corporations, including U.S. Steel, Procter and Gamble, General Mills, and Standard Brands, have so far refused to open their books to the MTC's auditors.

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And a coalition of 82 large corporations, led by these firms and joined by, among others, ITT, Green Giant, IBM, and International Harvester, have sought an injunction from the U.S. District Court in New York to put an end to joint corporate audits and to disband the MTC (the companies claim it is an unconstitutional compact among the states). The case has been pending for two years as lawyers for each side keep exchanging briefs, and no decision is in sight. The leaders of the MTC see the lawsuit as a diversionary tactic aimed at keeping the Commission busy defending its very existence rather than uncovering corporate tax evasion. "I spend days on end answering court papers," Corrigan says.

Meanwhile, the same corporations are prowling the halls of Congress, attempting to short circuit the MTC through federal legislation. Coordinating the fight is the pro-business COST, whose members include a number of the companies that are plaintiffs in the New York suit.

The principle which underlies the companies' various efforts, as explained by Bill Brown of COST, is as follows: "It's not a case of the states versus business, at all. Our view is simply that the commission is not acting within the law." Brown claims that corporate executives in his group do not object to joint audits in principle; rather "our members are concerned about the rules and regulations on auditing adopted by the MTC." While corporate spokesmen prefer to characterize their dispute with the MTC as "technical," Brown admits "the biggest problem is dividend and foreign source income."

This matter of "foreign" income is a complicated question, near the heart of the states' tax problems. Most states determine a multistate corporation's tax liability by calculating the firm's nationwide profits and then applying the state corporate tax rate to the state's proportional share of those profits. The big corporations' major objection to the MTC is that it treats foreign source and dividend income just like any other income and requires conglomerates and multinationals to be taxed as a complete unit, the way the corner drugstore is. The ins and outs of this are too complicated to explain briefly, but enough money is at stake that the companies have mobilized for a real fight in Congress.

Putting California in Its Place

COST's major efforts in this session of Congress have been on behalf of S. 1245 (sponsored by liberal Senators Charles Mathias, Abraham Ribicoff, and Hubert Humphrey). The key provision of S. 1245 would, in most cases, bar the states from taxing profits from foreign sources and dividends from corporate subsidiaries. Thus, by excluding foreign profits and other dividends, S. 1245 limits the taxable income of multinationals, like the oil companies, and of conglomerates with far-flung subsidiaries, like ITT. Brown of COST points out that only two or three states, among them California, now tax these dividends, and he stresses that S. 1245 would guarantee "uniformity" by getting these states, as well as the MTC, in line.

Byron Dorgan denounces S. 1245 as "a massive tax giveaway program for the largest corporations," and so far he and his colleagues at the MTC have managed to keep the bill bottled up in the Senate Finance Committee.

But the fight continues at the state level as the big corporations try to undermine the MTC and its joint audit efforts. Earlier this year, when Missouri Revenue Director James Spradling asked the state legislature for permission to join the Commission's joint audit program, large corporate interests, including the Missouri Oil Council, led the opposition. In Indiana, the State Chamber of Commerce has announced that "efforts to end Indiana's participation in the Multistate Tax Compact" is one of its top lobbying priorities in the 1975 legislative session.

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Given the widespread political popularity of taxing giant corporations, it is somewhat surprising that Dorgan is just about the only state official who has attempted to focus public attention on corporate tax evasion. One reason may be that he is the only elected tax commissioner in the nation. While California's corporate tax laws are supervised by the Franchise Tax Board, which is made up of two elected officials and one appointee, its chief administrative officer is appointed. And in the great majority of the other states, the position of tax director is appointive, similar to the Commissioner of the Internal Revenue Service at the federal level.

Like so many appointed officials at any level of government, many state tax directors tend to see as their constituency not the public but the big corporations they are supposed to audit. Or they may develop incestuous personal and professional relationships with the companies. Illinois Revenue Director Robert Allphin is on leave from his regular job as tax manager of Pittsburgh Plate Glass. Paul Dillingham started out with the Kentucky Revenue Department and now manages Coca Cola's tax business as a corporate vice president, while Arizona State Tax Commission Chairman John Hazelett previously handled state tax matters for an aircraft firm. A familiar story, but it helps explain why state tax officials are not beating down the doors of the daily press with exposés about corporate tax evasion.

This particular case of governmental surrender to corporate pressure would be discouraging if the solution were not so obvious: auditors, auditors, and more auditors. Experience in dozens of states shows that when the corporations are audited, they pay more taxes; when they are not audited, they pay less. For example, of the 13,736 corporations that California field audited in 1972, 44 per cent owed the state more money and only five per cent had been overtaxed.

Indeed, for a governor or state legislature trying to balance the state's budget, tax auditing is one of the few areas in which the state can save money by expanding the payroll. State auditing of large, multistate corporations normally returns to the states anywhere from $5 to $10 for each dollar spent on auditing. In its first year of corporate field audits, Virginia was earning a return of 12 to 1. Obviously the ratio will decrease as the state moves from detecting the most obvious evasion to more sophisticated and complex cases. But even California, with its highly developed audit operation, still produces nearly $9 in new revenue for every dollar spent on corporate field audits.

For years the federal government has known that the best way to insure voluntary compliance with income tax laws is to have a staff of auditors ready to catch reluctant taxpayers. It's time for the states to apply the same principle to the corporations. ■

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Memo of the Month

DEPARTMENT OF THE AIR FORCE
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SCOTT AIR FORCE BASE, ILLINOIS 62225

REPLY TO ATTN OF: CC

11 APR 1974

SUBJECT: Scott Golf Course Beautification

TO: Commanders and Staff, Scott AFB

1. Now that the snow has melted and it appears that spring is really "coming on strong," I find myself thinking more and more about our fine golfing facility here at Scott and wishing I was out using it more often. I am sure that many of you are feeling the same way.

2. I am very pleased that some significant improvements have been or are being made, including the building of new cart paths, considerable resodding, and the installation of a new irrigation system. The club house, pro shop, and golf club storage area already comprise a complex that is truly outstanding. There is still more that we can do.

3. I am certain that everyone is aware of the effect that inflation has had on grocery bills and clothing costs. Your dollar just does not buy as much this year as it did last year. The same thing applies to our upkeep costs at the golf course. Now here is where we can undoubtedly do something to cut costs, get more mileage out of our work force, and have still a better golf course. I am suggesting that each unit adopt and sponsor a hole "from tee through green." I feel that this will afford each unit a unique opportunity to display its "esurit de corps" and take genuine pride in the condition of the course. I envision an atmosphere of friendly competition for example where the 375 CAM Squadron's freshly-weeded tee box and green might be surpassed only by the Medical Center's perfectly fluffed sand trap.

4. I encourage supervisors to lead their voluntary work forces during the last two duty hours once each week in these beautification efforts, followed of course, with a round of golf. Comparisons and final results can then be appropriately discussed at the 19th Hole.

5. I am sincerely looking forward to your support and to our golf course's best year yet. Please let me hear from you no later than 23 April 1974.

Frank W. Contestable

FRANK W. CONTESTABLE, Colonel, USAF
Commander

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Down and Out on Capitol Hill

by Arthur Levine

Congress is a grim place to be after an election is over. For the 51 legislators voted out of office in the 1974 primary and general elections, the return to the Hill is especially painful. Branded as losers, they have to finish out the remainder of their terms as best they can. Then they must seek work elsewhere, and the adjustment is not an easy one. Some of them take the loss very hard, like Frank Clark of Pennsylvania. In the year of the great Democratic landslide, the voters in his western Pennsylvania district handed the 20-year veteran his walking papers. But unlike most of his defeated colleagues, Clark is a Democrat, and so he and his aides are rather depressed these days. He is, to put it mildly, a sore loser. Peering out from behind a door in his office, the bow-tied little congressman shouts, "Please go away! I told you I'm not speaking to anyone!" He was one of four incumbent Democrats who managed to buck the nationwide anti-Republican trend.

Like many of his fellow losers, Clark is not looking forward to going home. There's an excitement, a sense of importance, that comes from being a congressman, even a backbencher There are bills, meetings, crises, all kinds of pressing matters that must be attended to. And, in his own view, leading the way is The Congressman, at center stage in the Nation's Capital, Washington, D.C. So, many of them share the apprehension of David Towell, a one-term Nevada Republican, who has no desire to return to his real estate business back in Gardnerville. "I don't want to go back to what I was doing before. I've got a beautiful home there, it's great, but once you stimulate your mind here . . . well, selling homes in a rural area is not my bag anymore." For some congressmen, the transition to private life isn't made any easier by the peculiar limbo of a lame-duck Congress. Looking up at his clock, Rep. Towell says, "I used to be here at eight in the morning, but now what's the use?" Mail drops off, and colleagues may adopt an awkward congeniality. "It's like a wake," says Rep. James Grover, six-term Republican from Long Island. Other losers continue to act as if nothing's changed, working on legislation, going to committee, voting on bills, keeping up the pose of a man with important work to do. "I haven't abandoned the ship," asserts Republican Rep. Robert Huber of Michigan, "but there's a psychological reaction when you realize you're leaving, and the others will be back. It's depressing. The successful ones among your friends are sorry, and your enemies are secretly gloating."

The congressmen salvage what they

Arthur Levine is an editor of The Washington Monthly.

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can from the wreckage. Wisconsin Republican Harold Froehlich, for example, notes that he can buy his desk and chair for $25 each. Pounding on the dark solid wood with his hand, he says, "Where else could you pick up a desk at this price?"

Hire A Vet

During this transition period, while they prepare for the descent into private life, the losers continue to cling to their public masks. They take care to remember names and to smile, measuring their words with a precision borne of too many speeches from the podium and the dais. Underneath the charm, the congressional manner is marked by large reserves of caution and guile, part of the necessary inner strength that allows them to weather the task of seeking voter approval. There is a certain formality that they preserve, even as their roles are about to end. At times, however, the masks drop and reality intrudes into their public musings.

The question: What do you plan to do now?

"We're keeping our options open, we're looking at a variety of things, Mr. Levine," says Oregon Republican John Dellenback. "We're examining what the needs of the world are and seeing where we might be able to make a substantial contribution." Robert Hanrahan, a Republican from Illinois, strikes a more modest note. Speaking in a confidential tone, he says, "Well, Arnold, we're not sure yet. We're keeping our options open." He is, however, worried a bit. Although he would like to be a college president—"that would be ideal"—he is considering applying for unemployment compensation while searching for a job. He doesn't want to uproot his Washington-based family again, and he's concerned about job security. His colleagues encourage him to run for his old seat, but he responds, "What am I supposed to do in the meantime? Sell pencils?"

Most congressmen maintain an air of confidence about their ability to snare an attractive job. The advantages of being an ex-congressman are summed up by California Republican Bob Mathias, who says, "I think people should really be interested in hiring former congressmen. They know a lot. It's one of the best qualifications for any job." Mathias himself, although earning income from California-based businesses, is searching for government work or PR jobs in industry. He can be reached at 209-723-0466.

I am a camera

A White House aide is more skeptical about congressional talents. "They think we can wave a magic wand and create a job for them," he says. "They don't realize the high degree of qualifications that are required. They all want high-level jobs because they think something is owed to them. Some of these fellows are in a real desperate plight; my phone started ringing at nine a.m. the day after the election and it hasn't stopped since." He adds, "They've got

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"We're examining what the needs of the world are and seeing where we might be able to make a contribution."
—Rep. John Dellenback

bruised egos, so they're trying to demonstrate to the electorate that the voters made a mistake. It's as if they're saying, 'Look what kind of job I got. Now, aren't you sorry?' " The Ford Administration has set up a special unit in the White House personnel office to handle placement of displaced congressmen. Neither the Administration nor the legislators will disclose what jobs are being considered. "There are very few openings," says a White House personnel official. Nevertheless, the congressmen are hoping that Ford will equal the generosity of the Nixon Administration, which hired 12 losers following the 1970 "law-and-order" defeats. These positions ranged from the Department of Agriculture's Packers and Stockyards Administrator to United Nations Ambassador.

The Long Goodbye

Searching for a job is made more difficult by the urge to stay in Washington. The politicians themselves refer to it lightly as "Potomac Fever," but there is more to it than that. Their ties with the home district erode over the years, and barriers develop between the congressmen and their old friends. The affection and respect of constituents does not mean as much as it did before; what counts now is their votes. The small symbols of local pride, the Kiwanis Club speech, the testimonial dinner, merely become chores essential to reelection. The petty concerns of hometown folk surround the congressman on his weekend visits. Viewed from the cold distance of Washington, the constituents seem a bit clownish. A delayed social security check hardly engages the mind like an upcoming debate on the energy crisis.

Washington holds other lures as well. Most often, their homes are here; for everyone in the family the strong friendships formed in Washington are hard to give up. The children have gone to school here, and leaving

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would be a cruel disruption of their lives. The congressmen themselves will find it hard to match the special quality of the ties in Washington. The talk is fast, clever, informed; the people are warm, an instinctively social group. Even with the tedium and hard work, congressional life is far more exciting than what can usually be found elsewhere. There's simply not much to go back to in the hinterlands. Their life has been in government; it's hard to get used to anything else.

William Ayres, a Republican from Akron, Ohio, says that after a 20-year career ending in 1971, "I didn't have ties back there." He started renting his house out in 1960, and sold it in 1964. Later, he sold his heating company. "I didn't have a desire to go back into the heating business after I lost," he says. He stayed in Washington, working for three years as a high-paid special assistant to a presidential commission on veterans' jobs, an area he specialized in as a congressman.

Another reason Ayres took the job was the added pension benefits—no small incentive for staying in Washington. The government pension amounts to 2.5 per cent of the average annual salary earned in the three highest-paying government years, multiplied by the number of years served. Members who served five years or more are eligible. They can increase the amount in their pension fund by working for the government after

Staff Infection

Consider Dale Denton. On July 30, 1973, soon after his graduation from college, Denton signed on as an assistant to John Saylor, a Republican congressman from Pennsylvania. Three months later, Saylor died of a heart attack. His administrative assistant, Harry Fox, decided to run for the vacant seat, so Denton headed off to western Pennsylvania to lend his services. But when all the votes were counted, Fox lost by 230.

Still thinking Capitol Hill was the place to be, Denton started knocking on doors and eventually found a job with the newly appointed Ohio senator, Howard Metzenbaum. As he was beginning to settle into this position, his boss took on John Glenn in the primary, and, you guessed it, lost.

So unless Denton latches onto yet another congressman by January 2, he will have to start thinking about another line of work or, perhaps, law school. At least this time, he'll have company, and lots of it. For every congressman who got a pink slip from the voters last November there are about ten staff members in his Washington office out of a job. Add to that the aides who are about to lose jobs because their bosses are retiring, and you get a group of about 1,000.

The young Capitol Hill assistants realize that there are some people just like themselves from places like Dubuque and Memphis who expect to arrive with the incoming congressmen they helped elect. The veterans' fate now rests with the freshman representatives, who will, it is hoped, dump their loyal supporters in search of Washington savvy. The task facing the displaced assistants is to convince arriving legislators that they alone possess that special insight into how Washington *really* works. Yet one congressman advised new members in a recent briefing that legislative assistants were "a dime a dozen."

Losing a job is a painful experience for anyone. Ask Richard Nixon. But unlike their defeated

Bennett Beach works on Capitol Hill.

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leaving Congress, and at the same time earn enough to live well until they retire. For a while most of them retain the hope of running again.

Staying on the Dole

A few congressmen, like Frank Clark, try to stay on with the House itself. In early December Clark challenged William "Fishbait" Miller for the post of House Doorkeeper. If elected, Clark would have had the honor of announcing the President's appearances before Congress and of greeting dignitaries at congressional parties. He would also have administered 340 House positions, filling these patronage jobs at the request of his former colleagues. The loss of dignity would have been compensated, no doubt, by the $40,000 salary and the added pension benefits. But since he placed last in the challenge to "Fishbait" Miller, trailing behind two House clerks, Clark now finds himself, like his fellow losers, keeping his options open.

Clark's efforts were not unique. The Clerk of the House, W. Patrick Jennings, was a six-term Virginia congressman when he was defeated for reelection. He has been the House Clerk for eight years now. Standing outside his office, looking suitably tan and dignified, Jennings smiles and says he took the job for "personal reasons," primarily the pension benefits. But his motives were not solely mercenary: "I liked the way of life

by Bennett Beach

bosses, few staff assistants can head back home to a comfortable law practice or fly south to become ambassador to Costa Rica.

Many of those whose paychecks are about to be cut off came to Washington specifically to work on the Hill, and for the most part, they'd like to stay at least a little longer. The sense of being at the center of things is hard to find elsewhere. What supermarket clerk can go home to his television set and see big-name reporters filing stories from the aisles in his store? Even if a staffer spends much of her time sending out American flags and pictures of her boss to the fifth-graders back in Topeka, at least she's where the action is. In many cases, to the folks back home she's made it big, and somehow a job at the Bureau of Weights and Measures just doesn't match up to a job on the Hill.

And she'll miss the way the person at the other end of the line snaps to when she tells him where she's calling from; no longer will the lobbyists come by asking for just a moment of someone's busy time. She'll lose the WATS line, the check-cashing service, the free parking, free picture-framing, and free package-wrapping, not to mention the discount-priced Christmas wrapping paper on sale in the stationery room. Not all of these are major selling points, certainly, but they can make life a lot more pleasant at times.

An attraction for many young persons anxious to steer their country down the right policy paths is the healthy pay scale which those with only a bachelor's degree can rarely find elsewhere. With a liberal arts education and no real expertise, a staff assistant who is quick of mind can pull down about $10,000 for starters and move up quickly from there. After just a few years some move into the $20,000 to $30,000 range. There are no civil service regulations, so that upward mobility for the clever can be gratifyingly rapid. Unfortunately, the outward mobility can be just as fast.

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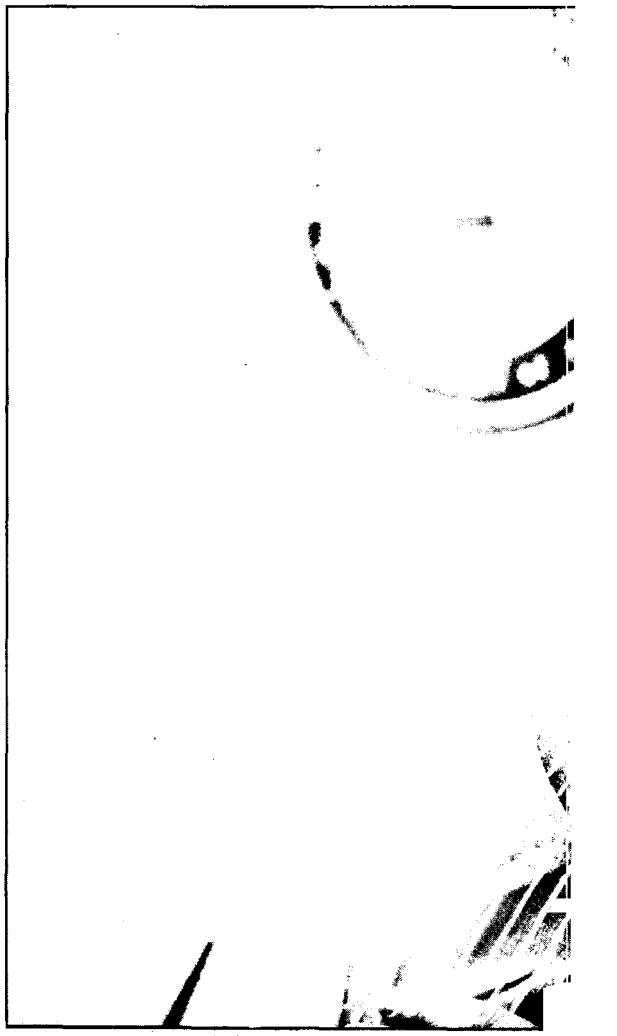
and wanted to stay involved. I wanted to make a contribution." Another congressman, Baltimore Democrat Sam Friedel, was defeated at age 72 after 18 years of service, in a close primary contest in 1970. He and his wife lived a block away from the Capitol, and Friedel struggled to become deputy sergeant-at-arms, a job that was created for him by the committee he once chaired, the House Administration Committee. The idea was dropped following press criticism, but Friedel stayed on in Washington, anyway. One congressional staff member recalls how he would see Friedel early each morning in the House cafeteria, eating breakfast by himself, reading the paper with an air of importance. Then the aging ex-congressman would get up as usual, heading toward an office that did not exist.

Others stay in Washington as lawyers, lobbyists, or consultants. Such men as Frank Ikard, once a Democratic Representative from Texas who is now president of the American Petroleum Institute, get a chance to cash in on their congressional contacts. More than money is involved, however. Former Democratic Rep. Byron G. Rogers, who joined a Washington public relations firm, says, "After 20 years in Washington, you know the ins and outs here so much better than you do back there." After his 1972 defeat, the once-powerful South Carolina Democrat, John McMillan, started work as a "political consultant." "I just want to do something to keep me busy. . . a place to hang my hat," he told *Congressional Quarterly* at the time. For a veteran like McMillan, the Capital's attractions proved too strong.

There will be more than enough opportunity for return visits, since so many of them will stay on in the capital. Surveys conducted by *Congressional Quarterly* a few months after the 1970 and 1972 elections showed that most former members remained in Washington. Perhaps they are attracted by the privilege all former members retain—not only can they visit the House floor, they also have access to the cloakrooms and dining rooms whenever they want. Some, of course, leave. Of those who returned home, professions varied: most practiced law, while one was elected to the Chicago city council, another became an undertaker, and a third handled public relations for a



I am a camera

"I think people should really be interested in hiring former congressmen. They know a lot."

—Rep. Bob Mathias

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local department store. My own recent survey of the 20 Republican losers of 1970 shows that half of them ended up in Washington. Several of these ex-incumbents hold important government posts. This success was due in part to the help the Nixon Administration provided after it had induced them to give up their seats to run for higher office. These alumni include Clark MacGregor, Chester Mize, and George Bush. Other 1970 rejects have served as U. S. Ambassador to Ethiopia, chairman of the Tariff Commission, head of the Veterans Administration, and administrator of the Small Business Administration. The current class would be happy to do as well. Less notable congressmen from the 1970 group have ended up as a farmer, state legislator, management consultant, minister, and convicted tax evader.

No One Understands Me

In the aftermath of defeat, our representatives are not occupied solely by the problems of job-hunting. They have time to ponder what went wrong, and, in these moments, there sometimes emerges an anger at the electorate for denying them the hard-earned right to be in Congress. They claim to have focused all their energies on being congressmen, working as hard as they could putting in long hours on legislation and committee work, driving their staff to respond quickly and efficiently to constituent complaints. Still, they are forced to demean themselves every two years by running for office, reluctantly taking time out from their important work in Washington. And when they return to the districts, they discover how little the voters understand—or appreciate—the work they do. The voters assume that because they are politicians, their congressmen are living the high life in Washington, junketing around the world and earning a fat salary, supplemented by bribes. "People as a whole don't understand what Congress is doing in the public interest," says Democrat Frank Denholm of South Dakota. The people are, in effect, fools, swayed by shallow promises. As Bob Mathias says, "I'm not bitter. They didn't appreciate me, so it's their loss. They can try somebody else—they'll suffer from it. They lost a good man."

Of course it is this very attitude that accounts in part for their defeat.

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There is a subtle transfer of loyalties—the change from being a Californian-in-Washington to being a member of the Washington world who must return every so often to California to retain his legal right to his Washington position. This does not go unnoticed by the voters, and they resent it. It is not only the feeling of power the congressmen have grown accustomed to, it is the ability to get things done as well. For instance, Frank Denholm's dream of solving the nation's food problems has ended, so he is not in a good mood these days.

Not Good Enough

The 50-year-old lawyer and former FBI agent was completely stunned by his upset loss to a young liberal Republican. Denholm is sitting at his desk, leafing through a Congressional *Record* when I arrive to talk to him. "Come in any time you want," his secretary had said, "he'll be here all day." Now, as the Muzak plays in the background, he gets up from his chair and forces himself to smile. His face is ashen-gray, with a hound-dog droop to his cheeks, the blue eyes even sadder when set against his determined grin. As he talks about losing and the achievements the voters ignored, his eyes glaze over and he holds his face in his hands, looking like a very tired man. "It's difficult to say what I'll be doing."

Denholm didn't take seriously his independent Republican challenger, who ended up winning support from McGovern backers by stressing congressional reform and cuts in defense spending. "I was caught in a fluke," Denholm insists. "I deserve to be defeated, because I didn't do a good enough job of telling the people back home about my accomplishments. I thought they would be more interested in my record of performance, but the vote showed that campaigns are won on promises." Mumbling softly, he intones the evidence of his service since 1970: "I had a high attendance record, you know. I worked up to 20 hours a day. I haven't done anything wrong; I haven't run off with any money." He adds, "Personally, it's been a most deplorable way of life. When it comes to a personal life, well, I've had none." He stares briefly at me with a mixture of anger and depression. "I've been rather suppressed; my commitment is to my work." He and his wife live in a small apartment in Washington, which, he says, "is nothing like our four-bedroom colonial home in Brookings." He says he never intended to remain in Washington permanently.

Being the favorite led to several tactical mistakes, he realizes now. He didn't come back to the district until Congress recessed in mid-October. He had no campaign organization or headquarters. "Everyone went to the polls thinking that Frank's going to win," he says, laughing bitterly. "Well, Frank didn't win."

"The voters have an investment in me of four years," he notes. He earned a position (fourteenth) on the Agriculture Committee, authored rural sewer and electric legislation, fought for housing and flood grants, and now he is being sent home. "I did the best I could," he says, flashing his Pat Paulsen smile. "I guess it wasn't good enough." And Denholm notes with disbelief how the electorate swallowed his opponent's promises of congressional reform and defense cuts, two of Denholm's areas of concern.

His main interest, of course, is food policy. In the next session, he says, he could have become chairman of the subcommittee on domestic marketing and consumer relations. Suddenly, he becomes animated, taking out a yellow legal pad and sketching the market route from farmer to consumer, lecturing me on the evils of the middleman. As he draws the neat little boxes, he stares at the pad admiringly. With increasing excitement, he talks of the extensive hearings that should be held throughout the country. It is a vision filled

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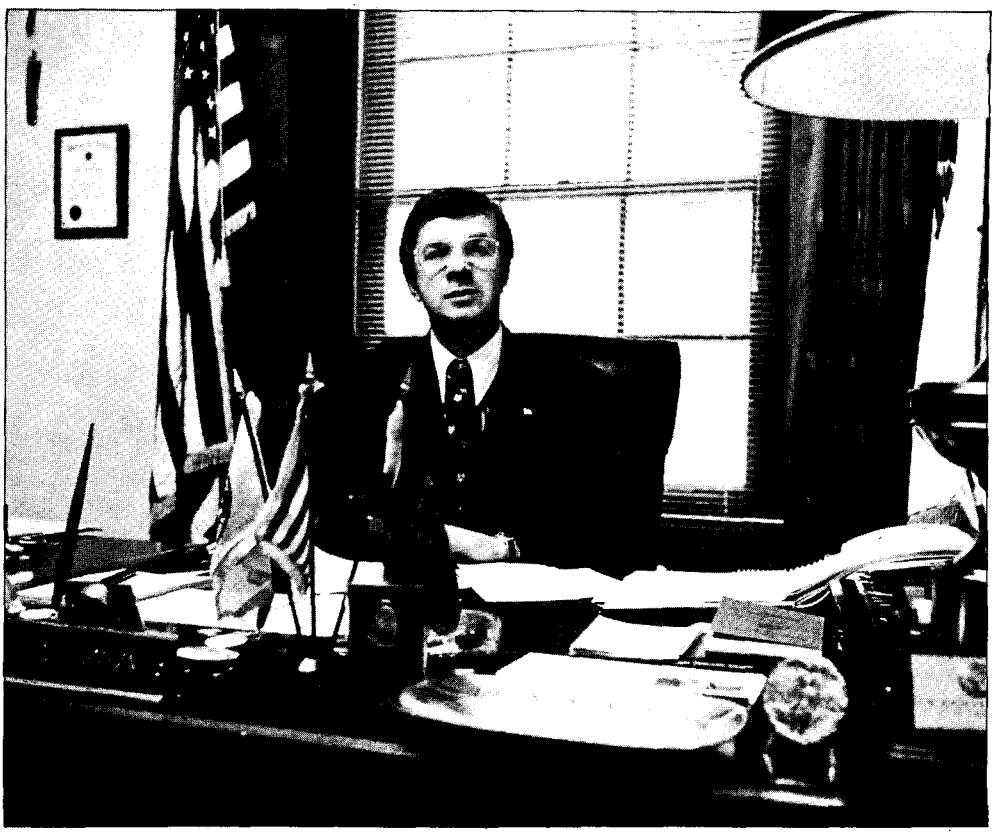

I am a camera

"What am I supposed to do? Sell pencils?" —Rep. Robert Hanrahan

with newspaper headlines and hero worship. Leading a populist coalition of farmers and consumers is the chairman of the subcommittee—Frank Denholm, Prairie Crusader. "The masses need this," he says. "We must stop the rip-off." On his desk are 10,000 signatures on a petition to President Ford calling for reforms in agriculture policy. As he thumbs the pile of signatures, he remarks, "Yes, I'm hurt. I'm sorry I'm not going to be chairman. I could have helped consumers and producers, and it's a shame for an agricultural state to lose a voice on the agriculture committee."

In the aftermath of his defeat, he compares the voters in his district to spectators at a circus. "They don't want to see the animals abused, but they want to see the elephants dance and the donkeys bray." Similarly, he notes that they expected him to take time off from his important work in Washington to conduct an active campaign. He is heading back to South Dakota not quite sure what he's going to do. "I've been offered a judgeship, but I don't know if I want to spend each day behind some musty desk in a judge's chamber. I've been extremely active all my life, and I'm asking myself whether I'm at a plateau of life where I want to be a judge."

He may decide to run again. In the meantime, he says, "I have my yard. I live in a great climate, with wide open spaces and a big sky, and I'm only five

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minutes from work." As I leave, he takes out a glossy photo of himself and observes, "I'm in a terrible mood today. As I told that gal taking pictures, I'd rather you use a picture of me smiling." In the picture, he does look happier.

Mr. Know-It-All

For most congressmen, what they will miss about Congress is not so much the power as the minor flatteries of the office. It is these benefits that add to the appearance of power, benefits available to all congressmen, regardless of seniority.

The ex-congressman will be quickly shorn of an aura of omniscience. Because he was a *Congressman,* in Washington, he was supposed to be privy to all kinds of inside information. The belief persists that congressmen know what's *really* going on, but, for some perverse reason, they're not telling. "The day after you win, everybody's asking your opinion on absolutely everything," says Rep. David Towell. "The media and the public think I know what's going on, but I don't."

The legislators will also become nostalgic about other side benefits that made them feel so important. They will recall those bargain-priced meals in the House dining rooms, the paddleball games in the Rayburn gym, the special elevators reserved only for them. Gone from their lives are the aides and secretaries, the briefing sessions, and the tight schedules. And no one will call them "Mr. Congressman" any more.

The small tokens of power are hardest to give up. "I'm going to miss having that special parking place at the airport and a free telephone in my office," says Bob Mathias. "I was able to call up my friends in California anytime I wanted," he adds.

For some men, these items are a constant reassurance that they are, in fact, congressmen engaged in meaningful work—men of importance, after all. Take James Grover, a quiet,

I am a camera

silver-haired Republican, who had the misfortune of being defeated by a 25-year-old kid who lives at home with his parents. After 12 years in the House, the 55-year-old Long Island congressman had climbed his way to high-ranking positions on two committees, Merchant Marine and Fisheries and Public Works. He served as ranking minority member on both the Public Buildings and Grounds subcommittee and the Canal Zone subcommittee. Not only did he lead the Republican floor fight for additional funds for the Kennedy Center, he even visited the Canal Zone in faraway Central America. But his proudest moment came during debate in the House chamber. "I always go to the floor ready to do battle," he says. "I've never lost a floor fight." He recalls the tension in the House when he rose to settle the jurisdictional fight between Public Works, and Marine and Fisheries over off-shore oil-terminal legislation. Grover, usually quiet (he spoke only three times his

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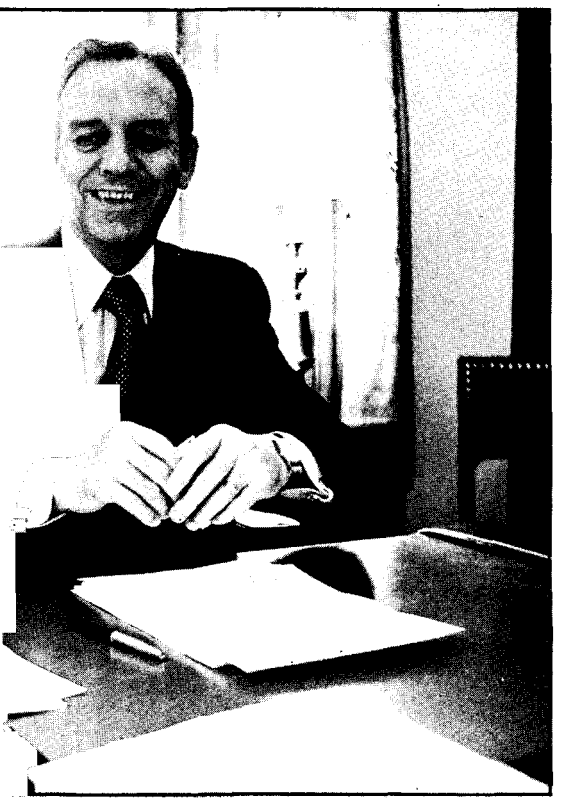

"Everyone went to the polls thinking 'Frank's going to win.' Well—Frank didn't win."
—Rep. Frank Denholm

first year), dared to oppose his colleagues on the Public Works Committee. As a result of his eloquence, the bill ended up with the Marine and Fisheries Committee. To underscore his impressive seniority, he notes, "If I had been appointed to the Judiciary Committee as a freshman, I'd now be ranking minority member like Edward Hutchinson."

The power he has accumulated over the years is best indicated by the collection of mementos in his spacious inner office. On a wall behind his desk, there are photographs of a short-haired Grover standing near Jerry Ford, Nixon, Ike, John McCormack and other luminaries. None of the photos is autographed.

He also displays a few pens and commemorative coins sent by Nixon. A portion of one wall is taken up by a framed copy of an amendment to a 1959 public buildings act. And mounted on another wall is an unflattering cartoon from *Newsday,* apparently the only time he was ever caricatured.

When Grover talks about his defeat and his future plans, he speaks slowly, glancing down at his hands and smiling ruefully. He finds some comfort in the Democratic upsets of other Suffolk County Republicans, meticulously detailing all the party losses—"The county hasn't voted for a Democratic governor in 60 years!" Seeing himself at the mercy of anti-incumbent sentiments beyond his control, he lessens his own humiliation by portraying inflation and Watergate as virtual demons let loose among the precincts. He accuses his young opponent of distorting his voting record and of making unfair conflict-of-interest charges. Grover maintains a part-time law practice, serves on the board of directors of a savings-and-loan institution, and owns a share of business property. "He made it look like I was rolling in dough." Actually, the congressman made less than $3,000 a year from outside sources. Unlike some other

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congressmen, who are able to become well-paid Washington lawyers or lobbyists, Grover is hardly besieged with corporate offers. "I've never attempted to capitalize on my position," he says, with some regret. Before he entered the State Assembly in 1957, he was making $35,000 a year as a lawyer. "It's going to take some time to rebuild my practice. Presumably, I'll join one of the large law firms."

But he says he is also giving serious thought to working in the Administration. Like some elder statesman considering a Cabinet post, he announces, with appropriate "Meet the Press" deliberation, "I will have to look at what's available." Then, to show that he is not being frivolous, he unfurls a letter. "Take a look at this gracious letter," he says with some pride. It is a one-paragraph note on White House stationery, addressed "Dear Jim" from a White House aide, Max Friedersdorf. It indicates that Grover will have an opportunity to meet with the President after he returns from overseas travel. Grover, meanwhile, is banking on his ties with Donald Rumsfeld, the White House chief of staff. "I know Don quite well," he says. "He's a club member of mine." What club? "The '88th Club.' We were sworn in together in the 88th Congress. And we were teammates in the gym." He adds, with studied nonchalance, "I know some other club members, fellows like Rogers Morton, Bob Taft, Bill Brock." He glances at me to check the impact of his star-studded listing.

I ask him, "How well do you know the President?"

"Well, Art, I was one of the Young Turks who helped him become Minority Leader. I remember that Rep. Jack Wydler and I flew down on the shuttle that day and walked in to vote just on time. He was glad to see us. And on the day that he was selected by Nixon to be Vice-President, I walked to where he was standing in the well of House and grabbed him by the wrist, took his pulse, and asked him whether he was nervous." He pauses dramatically. "That's just an illustration of how well I know him. I mean, I was able to kid around with him like that."

Grover will miss Congress and the friends he made there. "I'll miss the pressure of a long day, and being involved in controversy and issues. I keep telling myself Congress is a treadmill, but maybe there will be a psychological let-down when I've left."

On his way to the gym for a game of squash with another defeated Republican, Roger Zion of Indiana, Grover is approached by a sympathetic Hill employee. The man stops, Grover shakes his hand, and the man says, "I'm sorry about what happened. But you're a young man, you'll be back!" The congressman gives a wan smile and walks on.

Later, in the gloom of the bar of the Republican Capitol Hill Club, I hear a Republican staffer say, "With guys like Grover, you can see the hurt in their eyes. It's terrible when an election does this to people. You want to shake them by the lapel and snap them out of it."

If former congressmen never make it back, after abandoning all hope of a comeback attempt, they're entitled to join a 400-member group called Former Members of Congress, Inc., founded by a former Democratic congressman from Arkansas, Brooks Hays. The group holds reunions twice a year. In the spring they get to return to the House chamber and address the representatives. Surrounded by their old wooden desks, with the American flag draped behind them, the defeated have a chance once again to make speeches before an admiring audience. The keynote speech is made by the oldest former congressman, occasionally a centenarian. The honor shifts each year because of the mortality rate.

"It was a very lovely session," Brooks Hays says of their latest meeting. "It gives the men a feeling of belonging." ■

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The Space Race

by Iric Nathanson and Norman Ornstein

The morning after the election was a busy time for members of the staff of Rep. Stewart McKinney, a Connecticut Republican who had managed to win reelection to a third term in the House. Ostensibly moved by compassion, McKinney staff members went from office to office of their defeated Republican colleagues, offering condolences. Arriving in Bob Mathias' office, they found the secretaries still weeping over the Congressman's unexpected defeat. But tears didn't stop the McKinney delegation. "It's depressing to have to go through all these offices when people have been defeated," said a McKinney aide, "but it has to be done."

These resolute words referred not to some imagined duty to console the bereaved, but to McKinney's hope of obtaining a better suite of offices. It has long been noted by management theorists and observers of the corporate pecking order that the size and location of office is one of the most important ways of defining status within the large organization. While Congress is an exception to most organizational rules, this one it obeys. Stewart McKinney had apparently decided that three terms in the House rated an office in a better spot than on the fifth floor of the Cannon Building, a location so remote that it is not even accessible to the main

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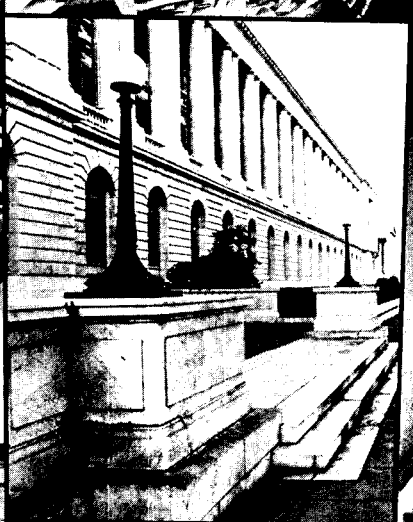

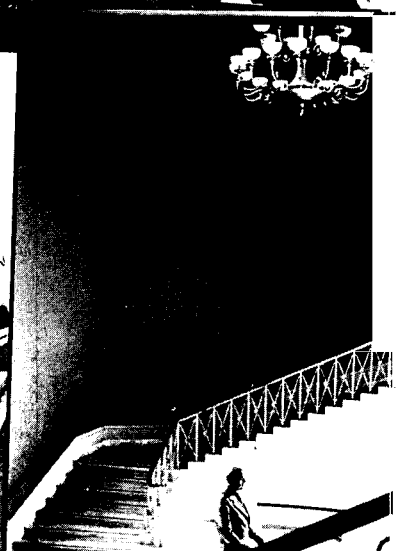

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elevator in this, the oldest of the three House office buildings. At the back of his mind may have been this classic example of how far the prestige-office equation can go: the suite of F. Edward Hebert—26-year congressional veteran and chairman of the House Armed Services Committee—in the Rayburn Office Building, complete with marble atrium and fountain.

Apart from the prestige, there are serious practical considerations to bear in mind. Rep. Clarence Miller of Ohio, for example, once had to make do with an office that was bisected by a public restroom. Awkwardness of that order is rare, but every congressman must pay attention to the distance that separates his office from the House floor. With more and more roll-call votes taking place each session, a well-located office can greatly reduce the time and effort necessary to reach the House floor within the 15 minutes allotted for each vote.

Space is another important consideration. With the possible exception of newspaper reporters, congressional staff members are given less work space and less privacy than any other professional group in our society. Most congressmen are allocated just three rooms for a staff that often numbers as many as 12. Since the largest of the rooms is usually reserved for the congressman, and part of a second room has to be used for a reception area, a dozen desks may be crowded into the remaining room and a half. All this makes it easy to understand why congressmen often plot for weeks to get their hands on an office whose three rooms are larger than normal or which has an extra nook.

Although the mid-term death of a congressman, creating a suddenly-vacant suite, can set the office politics game in motion—delegations of staffers stop by to offer condolences while surreptitiously checking the dimensions—the major activity occurs right after an election. When the turnover is as large as it was in 1974, the machinations can become terribly intricate.

Although the seniority system theoretically determines assignments of vacant office space (a lottery is held to determine pecking order among congressmen with equal seniority), in practice scheming and horse-trading are the order of the day. The first step in the process is the lottery for incumbents with equal seniority, held the Monday after the election. This year it lasted more than 11 hours and attracted more than 200 participants. Most congressmen sent their aides, but some House members, including Henry Reuss, Brock Adams, and John Erlenborn, came in person to participate in this important event.

But the lottery is only the beginning. During a frenzied two-week period immediately thereafter, members place their bids for vacant offices. A delicate calculus is involved here, for a member who places his bid too early or is too talkative about the virtues of the little-known-but-delightful suite he has discovered can wake up to find that he has been "bumped" by someone with more seniority. To protect themselves against this kind of unpleasant surprise, congressmen try to work out deals with colleagues with a higher lottery priority. As one observer put it, "It's just like the National Football League draft—they make trades and give up priority over a good office for future considerations."

Typical was the sequence of events that determined the inheritor of an office being vacated by Republican Harold Collier, who is retiring after nine terms. His corner suite has all the right qualities—it is large, well-proportioned, convenient to the elevators, and has a picture-postcard view of the Capitol dome. True, it is located in the older Longworth Building, but many veteran House members are coming to prefer these offices, with their mellow, paneled walls, to the more ostentatious

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modernity of the Rayburn Building. "The pushy status-seekers are still scrambling to get into Rayburn," one Capitol Hill staff member remarked, "but those with real taste would just as soon stay in Longworth."

Democrats Don Fraser and Morris Udall, congressmen with equal seniority, both coveted the Collier office, but Udall came out ahead of Fraser in the lottery. Udall had only barely begun to enjoy his victory when, one day later, his own claim on the office evaporated. A more senior colleague from the other end of the political spectrum, John Ashbrook of Ohio, discovered that the office was available and bumped Udall. Denied Collier's office, Udall decided to hold on to the one he already had. This, in turn, was bad news for William Steiger, who had his eyes on Udall's suite.

In the meantime, Fraser, who had lost out to Udall in the bidding for Collier's office, decided on his second choice—the suite being vacated by retiring Rep. Edith Green. Fraser then discovered that one of the rooms used by Mrs. Green had been re-designated as a committee room and would not be available to the next occupant. Fraser took his objection to the top, to House Speaker Carl Albert, but his appeal was denied. Like Udall, Fraser decided to stay where he was—and Steiger bid for Mrs. Green's office, which even without the additional room was better than what he had.

At this point, Indiana's Andrew Jacobs entered the scene. Unlike most of the Democrats who defeated Republican incumbents, Jacobs is not a congressional newcomer. He had served three terms in the House prior to his defeat in 1972, and therefore did not have to wait until the special lottery for House freshmen to get into the bidding war. Jacobs—with his constant companion, a huge Great Dane named C-5A—had long been one of Capitol Hill's more colorful characters; when his turn came to choose, he decided that he and C-5A also wanted Rep. Green's office.

Steiger was outraged when he discovered that he was being bumped by Jacobs and a dog, especially since he and Jacobs have served an equal number of years in Congress and Steiger's term has been continuous. But C.W. Bates, the House building superintendent, ruled in Jacobs' favor, leaving Steiger to carry his appeal to the House Building Commission. So the congressional leadership—Speaker Carl Albert, Majority Leader Tip O'Neill, and Minority Leader John Rhodes—will have to meet to resolve the dispute between Steiger and Jacobs.

And so the old year ended with Depression around the corner and Famine on the march, with Ashbrook and Jacobs ascendant and Steiger in the shade, and with many people wondering just why we get no leadership from Capitol Hill. ■

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Ben Bradlee and His All-Star Revue

by James Fallows

The two newspapers I make a point of seeing each day are *The Washington Post* and *The Austin American-Statesman*. I read the one for its national coverage, and the other for its reporting on state and local events, as well as for those service features, from grocery ads to movie listings, that make such a difference in day-to-day life.

In most respects the two papers could not be more different. The *Post* is powerful, rich, and famous; the *Statesman* is none of those things. The *Post* is part of a communications empire that includes *Newsweek* and several broadcast stations; the *Statesman* is on its own. The *Post* is respected even where it is not loved; the *Statesman* has no honor even in its own home town, since its editorial policy is so far to the right of prevailing attitudes in Texas' most liberal city as to be something of a standing joke. (To give one example, the *Statesman* regularly endorses the Republican candidates in general elections, and the Republicans regularly go on to collect 25 or 30 per cent of the vote.) Many people think the *Post* is the best paper in the country, and most others would at least rank it with *The New York Times* as one of our two truly "national" newspapers; when the *Statesman* was left off *[MORE]*'s recent list of the ten worst papers in America, several readers wrote to protest.

Comparing these two papers, which I am about to do, might seem to be a sitting-duck exercise, like asking whether the Soviet Union or Norway has the better army. The point of the comparison is that each paper tells a little part of the story of the profession—the *Statesman* about the bogs which a good many newspapers fall into, and the *Post* about the limitations, often so similar to the *Statesman*'s, which not even the best papers have learned to transcend.

As evidence for this proposition, I offer a two-week sample of both newspapers. These two weeks, beginning on Sunday, September 29, 1974, and running through Saturday, October 12, have the two advantages of being far enough away from the fall elections that campaign reportage does not totally dominate the news pages, and of being free of the cataclysmic events which can skew a paper's balance. On the national level, the most exciting things that hap-

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pened during this time were President Ford's economic message (the one with the WIN buttons), Wilbur Mills' Tidal Basin incident, and the beginning of the Watergate trial. In Austin, the big news was a shoot-out in which police killed a Mexican-American man, a local bank's clandestine destruction of a historic building, and the aftermath of the academic-political coup which deposed the president of the University of Texas, Stephen Spurr.

Before going any further, I should emphasize what kind of comparison this is *not* going to be—one between the different views of world and national events a reader would get from the *Statesman* and the *Post*. There is a difference, but it is not a very surprising one, and besides, it doesn't reflect the real nature of the papers. The *Statesman*, like 95 per cent of the papers in the country, does not pretend to make national news a specialty. If its readers are interested in more than the brief reports the *Statesman* gives, they will buy a Houston or Dallas paper, get *The New York Times* or the *Post* by mail, read *Time* or *Newsweek*, or even watch the TV news. What the *Statesman* does emphasize is reporting on local and state events, and that is the coverage to compare with the *Post*'s national news.

Two-fingered Journalism

To begin with the *Statesman*'s two weeks, what is most impressive is how fully they embody the canons of traditional "objective" journalism. This creed has its reasonable version in the idea that newspapers should do two things—report the events that actually happen and report them in as fair and balanced fashion as possible. If a paper can't do this, it can't meet its minimum responsibility, let alone do anything more, just as a pianist won't ever play Prokofiev if he can't first play the scales. The problem is that for many journalists this minimum becomes their maximum ambition, so that when their profession's own performers step onto the stage, they expect to hear not the journalistic equivalent of Prokofiev but two-finger exercises.

Of the two versions of objectivity, the *Statesman* sticks closer to the unreasonable kind. It is so faithful to its duty of chronicling events that it very rarely steps back to assess important developments which can't be hung on one specific newspeg. In nearly every one of the 200-odd stories the *Statesman* published during this period, the *event* which justified the coverage is immediately apparent: "Governor Briscoe announced Friday that. . . " "Cost and geography are two strong arguments for the IRS headquarters remaining in Austin, State Rep. Sarah Weddington has told IRS district director Richard Stakem in a letter."

The *Statesman* also maintains a determined "balance," in the sense of that term which TV news has made famous. If it is all too easy to imagine CBS news covering the Crucifixion by interviewing, in sequence, Jews, Barabbas, and Pontius Pilate, the modern equivalent of that outlook is every day apparent in papers like the *Statesman*. The reporter who operates in this world does not set himself up to judge the facts or assess their plausibility, but only to pass them on to the reader. His purpose is to serve as a kind of podium, which each side in a debate can mount to make its case. The assumption underlying this philosophy is that there are two sides to every case and that the public will be able to choose between the sides on the basis of the evidence presented to it.

There are stories in which this assumption is justified, in which the reporter tells us everything we need to know simply by letting each side speak its piece. On October 2, for example, the *Statesman*'s John Sutton reported that the state attorney general's office had reached an out-of-court settlement with the milk producers' group, AMPI. The attorney general agreed not to prosecute AMPI

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on antitrust charges, and AMPI agreed to come up with $32,000 in fines. From the simple facts presented in the story, few readers would have difficulty understanding just what kind of pro-forma gesture the AMPI attorney was making when Sutton quoted him as saying, "AMPI does not agree or admit to the attorney general that he could prove the violation."

But more often the situation is not so transparent, as another of Sutton's stories illustrates. This one was on the October 4 front page, and it began: "The outgoing Travis County Grand Jury strongly implied Tuesday that Sheriff Raymond Frank is not doing his job and called for his ouster at the polls if he neglects his duties.

"Frank called the grand jury report politically motivated.

"As one of its 'grave concerns,' the grand jury expressed its alarm that the 12-member panel had been advised that 90 per cent of the drugs within the Dallas-Fort Worth metroplex and the Houston area come from Travis County."

There could be no doubt about this story's significance, especially since the Sheriff was an elected rather than an appointed official. While the reader would not want Sutton and the *Statesman* to tell him how to vote when the Sheriff came up for reelection, he would at least expect the paper to present enough information to suggest which of the two possible explanations was nearer the truth—that the grand jury, for reasons of its own, was exaggerating or even inventing evidence, or that the Sheriff was huffing and puffing to save his own skin.

Although Sutton and the *Statesman* devoted dozens of inches to the story in the next few days, the reader never came any closer to knowing what was really going on. In the first day's article a few additional paragraphs elaborated on Sheriff Frank's side of the story: "Frank said, 'I think there's some politics involved in this grand jury report.' He denied that his office is slack in carrying out any of its duties." The first follow-up story, on October 5, concentrated on the fact that a controversy was going on, but not on its substance. It began, in prose not untypical of the *Statesman*, "The contents of the pot that the outgoing grand jury put fire under when the 12-member panel in effect called for the ouster of Sheriff Raymond Frank have boiled over into the political gutters and public name-calling has started." In this story, as in the others in this series, the readers found large patches of contradictory quotes and accusations from each side, but absolutely no guidance about whether the Sherrif was doing a good job.

Other than the unbelieveably clotted prose, there was little out of the ordinary in the *Statesman*'s coverage of this dispute. These journalistic blinders are not purely a phenomenon of the *Statesman* staff however, one need only recall the dressing-down NBC's Cassie Mackin got in the fall of 1972 when she examined some of the Nixon campaign rhetoric and found it

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deceitful.

None of this is to say that straight news is useless. There is nothing more maddening than to have to wade through a dozen paragraphs of "mood" or "color" writing before you can find out the score of the football game or how many people survived the plane crash. But if it takes good factual reporting to fulfill the paper's purpose of informing and educating its readers, it takes something else as well, which often involves breaking through the barriers imposed by the "objective" mind set. There was no reason why the *Statesman* should not have looked hard at Sheriff Frank and the grand jury to see who was telling the truth.

There is also no reason why papers like the *Statesman* should not decide on their own to undertake, for example, an assessment of the various state agencies and the way they are performing their jobs. In fact, this may be the most significant thing local papers—especially capital-city papers—across the country could do.

"Assess" and "evaluate" are two of those magical words with the power to confer instant boredom on the reader, but a few examples may clarify what they mean. Although Texas, with its oil wells, is second only to Kuwait as the preferred spot for sitting out the world recession, the state does have its share of problems. The public schools are financed on a woefully inequitable basis, with some districts having $10 million in taxable property per student and others having $5,000. For reasons never fully explained, the state has a much higher per capita prison population than the rest of the country, and according to a recent legislative study of the prisons, they illustrate every abuse from surgery performed by inmates themselves to forced labor in rooms so full of dust that guards refuse to stay inside. The University of Texas, which has more money than any school except Harvard, has several good graduate departments but a quite mediocre undergraduate program. The air above Houston would choke a citizen of Los Angeles—and besides that, Houston is sinking into the sea. This is not even to mention the food price and mortgage money crises that Texans share with their fellow Americans. In short, there is no scarcity of questions about which the citizen is curious to know, "What the hell is being done?"—by the state, by the feds, by anyone. *The Washington Post* is not going to tell them and neither is *Time*, so that leaves it up to the *Statesman*.

The *Statesman* does, from time to time, go out on a limb with a non-newspeg story of its own, but the straitened circumstances in which it does so are in themselves evidence of how powerful "objectivity" can be. The first category of these "created" stories, which deserves mention mainly because it is in such stark contrast to the severely abbreviated national news stories on the front page, consists of leisurely, often arcane reports from Europe, Asia, and points beyond, which the *Statesman* picks up from the Christian Science Monitor, the Manchester Guardian, and other wire services. These dispatches—"Russian Dream Coming True: More Cars on Way," "Swedish Sex Ed Studied"—fill the back sections of the *Statesman*'s thick Thursday and Sunday editions, and, while enjoyable in themselves, give the impression that they owe their existence to the need for a decent margin of type between the furniture ads.

The second and more significant category is the "human interest" stories produced by the paper's own staff. The news content of these stories is so soft that the paper can throw aside all conventions of balance and neutrality without raising suspicions that it is treating hard-news subjects in a slanted way. There are examples in nearly any day's edition, but here is just one: on October 3 the *Statesman*'s city page featured a story entitled "Harmonica Reflects Church Janitor's Thoughts: Ollie Bonner Uses Harp for Relaxing."

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The third and fourth categories are different from the first two in that they deal with the hard-news topics the paper is handling on its front page. The third category consists of "news analysis" stories; the fourth, special series of "investigative" or interpretive articles on subjects which are not fast-breaking news stories, but which are clearly different from the Ollie Bonner profiles—the structure of the city government, for example. The *Statesman* runs a respectable number of stories in these categories, and it published two special series during the two-week period, which was two more than the *Post*. But in the way it handles the subjects and the limitations it imposes on itself, the *Statesman* again illustrates the bonds of "objective" journalism.

What the *Statesman*, and most other papers, mean by "news analysis" might more properly be called "more news" or "extra details." Most of the stories add material which fleshes out, rather than criticizes or truly analyzes, the front-page reports; the impetus behind them seems to be the reporter's feeling that he cannot tell the story within the conventions of the pyramid style. This is a perfectly worthy form of journalism and has its place in every paper, but in the *Statesman* it becomes a substitute for anything more thoughtful than simple explanation. On October 2, for example, Tom Barry wrote a "news analysis" of the city's water and sewer systems—a subject of considerable interest, since the city council was preparing to approve an enormous rate increase. But the analysis consisted of a lot of extra facts about the utility system ("In 1970-71, there were 1,281 miles of water pipe serving city customers; next year there will be 1,624. There were 75,817 meters in 1970 and will be 91,825 next year. . . .") and one "analytical" sentence: "There are a number of reasons and justifications for the [rate increase] proposals." Whether the system had been run well or poorly, whether the rate structure was discriminatory or fair, whether there was an alternative to steps the council was about to take—these questions were all left unanswered.

The same dread of analysis and independent evaluation recurs in the paper's special series. The *Statesman*'s editors showed good judgment in the two subjects they chose for special examination. One of the series, a three-parter beginning September 30, was on the Lower Colorado River Authority (LCRA), an enormously powerful but rarely visible public agency which built the man-made lakes that dominate the local landscape, and which is now responsible for flood control and the generation and distribution of electric power. Questions of energy use, environmental protection, and long-range development of the Central Texas region are all connected to the LCRA.

The other series, which ran on October 7 and 8, set out to examine Austin's city-manager form of government. In an introductory note published with the first installment of the series, the editors indicated that they knew the right questions to ask: "Today's story casts an eye at the nuts and bolts of the municipal machinery, and Tuesday's installment answers the question, Does it work?"

Tuesday's installment, however, did nothing of the kind. Like the most balanced and noncommittal news story, the article made a determined and successful effort to resist conclusions and analysis and instead relied on predictable quotes from recognized authorities. Dan Davidson, the city manager, went on and on with insights like: " 'The council-manager plan combines the strong political leadership of the elected officials with the strong managerial experience of a city manager. The council makes the decisions, and the manager is the full-time executive charged with carrying out those decisions.'

"Davidson said he 'sincerely believes' the form is the best for Austin. 'It has worked well in Austin and I think it's working now, he said.' "

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The LCRA series was out of the same mold. The first article, "LCRA's Birth a Vignette in History," was a chatty backgrounder; the second, "LCRA Challenges Immense," described rather than analyzed some of the agency's economic and political problems; and the third, supposedly the summing-up of the series, ended with these words: "LCRA officials continue planning for the future and ways to continue serving an ever-growing area." Running through both these series, and from the Ollie Bonner stories to the too-laconic news reports, is the most fundamental problem of the small-time press—its inability to see past the blinders of "objectivity."

Going Beyond the Facts

It does not take a wizard to spot the differences when we turn from the *Statesman* to the *Post*. The *Post* runs its share of straight-news stories, but after putting the facts on the record, its writers usually go on to explain what the facts mean. On October 1, for example, a front-page story by Victor Cohn, entitled "Surgery Study Hit," began in the classic, "objective" style:

"Many of the women who cooperated in a landmark study of breast cancer surgery were not fully told that a computer would decide which operation they would get, a public interest law firm has charged.

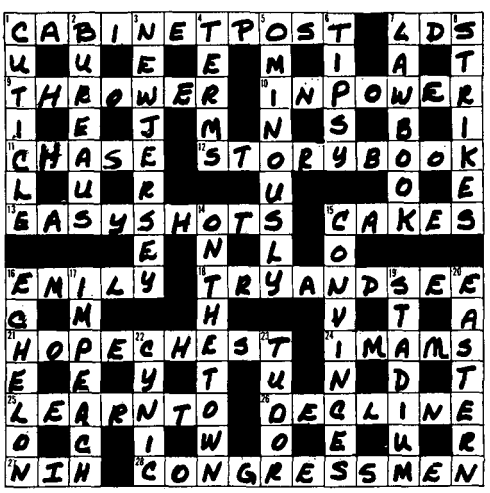
"The charge is denied by doctors involved. . . . "

Within a few inches, however, Cohn burrowed into the evidence to show why the doctors' denial could not be given full credence, a step the *Statesman* would never take. Cohn quoted the doctors' side of the story:

"The surgeon who headed the study, Dr. Bernard Fisher of the University of Pittsburgh, strenuously denied in an interview last week that any of his 196 Pittsburgh patients and any he knows about elsewhere were less than fully informed." But Cohn then went out to interview three Pittsburgh patients chosen by Dr. Fisher and found that two of them "did not understand what they had consented to, including the fact that their treatment was to be chosen at random." This did not prove the case one way or another, but it gave the reader some reasonably solid clues.

The *Post* is also more willing to go after stories on its own, instead of simply responding to events. In every edition during these two weeks there were at least two, and more generally five or six, "created" stories, the result of initiative and foresight on either the editors' or the writers' part. As illustration, the front page of the September 29 edition included "Black Pupil Suspensions Up" by B. D. Cohen and "Siltation on Occoquan River Basin Perils N. Va. Water Supply." These are the kind of soft-news stories the AP or the *Statesman* might run—but only if there were a newspeg, only if the lead could be, "Suspensions of black pupils are rising, the director of the state education agency announced yesterday." Neither of the *Post* stories depended on a newspeg, although Cohen's report on the schools was based on "official school studies obtained by *The Washington Post*." The next day the front page carried a story by Harold Logan about the difficulties building-code inspectors were having

Answers to December puzzle:



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in getting the courts to back up their orders. Logan interviewed a Maryland inspector who told him, "There's not been a successful prosecution in a building code violation in the two-and-a-half years I've been here," and explained how and why the problem developed. On October 1, "School Crime, Security Cost U. S. $500 Million," by Richard Prince, another thoroughly researched non-newspeg story which examined a significant but under-reported trend, was on the front page. The examples could go on and on but the point should already be clear: while the stories, taken one by one, may not be of breathtaking urgency, they reveal a pattern of looking past the breaking news to the more basic sources of change.

It is this kind of performance that people have in mind when they say that the *Post* is one of the best papers in the country, and it is precisely the fact that the *Post* avoids the more obvious *Statesman*-like errors that makes its remaining blind spots significant. They can't be written off to the peculiarities of one small paper or to the slow pace at which new journalistic theories have percolated out to the heartland. The *Post* is supposed to be the best, the place where theories percolate from, and if it is still groaning under the burden of old-style "objectivity," that is a matter of more concern than whatever the *Statesman* is doing.

Serving up Scandals

The *Post* has dispensed with one form of "objective" blinder, but it still wears another. A lot of what the *Post* was serving up during this period is something the *Statesman*'s editors would be perfectly comfortable with, if only they had the money to pay for it. That something is "investigative reporting," in the most vulgar—and, unfortunately, the most commonly accepted—sense of the term. One of the saddest by-products of the Woodward-Bernstein-Redford-Nixon phenomenon is a one-dimensional notion of how the press, Guardian of Freedom and Enemy of Corruption, should use its investigative resources—that what merits attention is bribes and burlesque, overt conflicts of interest, and other potential candidates for the scandal sheet or the federal courthouse. No one would deny that these things are worth exposing, but after a while one might start wondering about their proportion. For every story the *Post* published during these two weeks like Lawrence Meyer's examination on October 7 of why building costs were rising so outlandishly, there were two emphasizing scandal and chicanery. On October 6, for example, the front page carried four non-newspeg stories, three of them about scandals (one at the Lorton Reformatory, one in the real estate business, and one, under the headline "Scandal Rocks Placid Pa. Town," in Williamsport, Pa., home of the Little League). The Rockefeller gifts, the Wilbur Mills story, and the hoopla about the Watergate trial only increased the bulk of the scandal stories.

There is absolutely nothing wrong with reporting scandals of public importance. The danger is only that as the journalistic pack sets out on the trail of the felon and the lecher, it will neglect more important developments which lack the crucial spice of scandal. The Mills case is an excellent example of what can happen then. As Walter Shapiro pointed out in last month's issue of this magazine, it's good fun for everyone to jump on Mills now that he's in a ludicrous position, but one does wonder just where the press was back when Mills still had his public dignity but was gutting tax reform bills.

Another illustration of how the scandal mentality can get out of hand is provided by Washington's Fund for Investigative Journalism. The Fund was set up several years back to distribute foundation money to journalists working on "investigative" articles—a category which, in one of the Fund's first great coups, meant

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the scandal and cover-up of My Lai. But "investigative reporting" could conceivably mean something else, too—traveling around the country to find out why the Agriculture Department has so totally missed the boat on its crop-support programs, or finding our how much help entrepreneurs get from Small Business Administration loans. Both of these projects involve "investigation," but unless you could promise a scandal, neither would get a penny from the Fund.

What the Fund means by investigation is finding somebody with his hand in the till or the suppressed documents in his desk drawer. At its noblest, this can mean stories like Seymour Hersh's on My Lai, but more often it simply rules out a lot of significant stories which just don't happen to be scandalous. The Fund, it should be remembered, is not some fly-by-night outfit whose ideas are a wild departure from prevailing journalistic norms. Its board of directors includes such respected writers as Milton Viorst, Jules Duscha, and James Boyd; like the *Post*, it's an institution that other journalists look up to, try to emulate.

Bradlee as Billy Rose

Given the examples of the *Post* and the Fund, it's no surprise that so many papers rely on the scandal mentality instead of developing any sense of purpose about what they should be saying, any concept of system or direction about where to apply their talents. On the basis of this two-week sample, the *Post*'s editor, Ben Bradlee, doesn't have a much clearer sense of his papers' role than does the *Statesman*'s Sam Wood. One member of the staff, who is understandably reluctant to be quoted by name, says, "All Bradlee and Simons [the managing editor] care about is the daily production, the fast story, the whole "Front Page" approach. Grace of writing, depth of thought, the long-range direction of your work—none of that stuff matters if it interferes with turning out the quick story."

Bradlee himself has a slightly different view of things. He said in an interview, "You're telling me that Austin paper had more series than we did? I can't believe it—well, you saw the papers, so you know, but, shit, we kind of feel like pioneers in this field. We have 10 or 15 reporters working all the time on stories like that"—which, at *Post* salaries means an annual investment of at least a quarter of a million dollars. Bradlee rattled off some of the projects that were in the works: "We've got one coming up on the insurance industry, something on the Kennedy assassination—Robert's—there's an overseas series we're working on, a brand new look at the Greek Cypriots, a long investigative piece on the Marriott family. We've got two guys working on the oil lobby, a three-part series on the Interstate Commerce Commission, one on new towns—hell, there are others, I can't even remember. We've got one on Detroit, America's pivotal industry."

Despite a touch of the scandal mentality in the Kennedy and Marriott pieces, this is a relatively impressive list—and Bradlee says that 80 per cent of the ideas come from the editors, not the reporters. But while stories on insurance are relatively fertile turf, other topics on Bradlee's list represent rather uncreative thinking on the *Post*'s part—the auto industry has been done to death in the last few months, and "new towns" are a favorite set-piece for analytical articles titled, "New Towns: Ten Years Later." Moreover, choosing the right topic is only one step in producing a useful series. After all, even the *Statesman* thought of the LCRA and city council stories.

What Bradlee does have—and what makes the *Post* different from the rest of the field—is something else altogether: the ability to recognize talented people, and through big

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salaries and other attractions, to keep them at the *Post*. Under Bradlee the *Post* often seems to be working on the old Billy Rose principle of putting on a show—if you find enough brilliant people, bring them together under one roof, and then just give them their head, every so often you will have a great show. When Rose produced "The Seven Lively Arts" in the mid-forties, it had music by Cole Porter and Igor Stravinsky, book by Moss Hart, George S. Kaufman, and Ben Hecht, performances by Bert Lahr and Bea Lillie, dancing by Alicia Markova and Anton Dolin, music played by Benny Goodman, Teddy Wilson, and Red Norvo, chorus directed by Robert Shaw, set by Norman Bel Geddes, and costumes by Valentina. It didn't really matter that Rose had no clear idea of what he wanted all these people to do; when he put them all together he could count on something to work out.

Bradlee's great achievement at the *Post* has been to bring together journalism's equivalent of a Billy Rose crew. The paper's staff includes David Broder, Sally Quinn, Morton Mintz, Haynes Johnson, William Greider, Nicholas von Hoffman, Jules Witcover, Bernard Nossiter, John MacKenzie, Sanford Ungar, Colman McCarthy, Jim Hoagland, Marilyn Berger, Ronald Kessler, Stephen Isaacs, Maxine Cheshire, Meg Greenfield, Don Oberdorfer, and William Raspberry—not to mention Woodward and Bernstein.

With a cast like this, it doesn't seem to matter that Bradlee isn't sure what the paper should be saying. He has stacked the odds so heavily in his favor that whatever show the staff decides to put on each night is usually good. The fact does remain, however, that each time grace of writing and depth of insight do turn up, they are acts of serendipity rather than design. Because the *Post* has writers like William Greider, who can apparently grind out elegant copy while the night editor is screaming "Deadline" in his ear, it becomes a graceful, literary newspaper—and not because the editors are spending a lot of time worrying about the quality of the prose. And because the *Post* has a demon investigator like Ronald Kessler—whose 1974 series on the U.S. Postal Service was a classic of how a newspaper should evaluate public institutions, and whose earlier series on local hospitals was marred only by a touch of the scandal mentality—on the days when Kessler produces, it looks like the best paper in the world. And because the *Post*'s Metro staff is crammed with people who would be stars on most other papers and who are desperate to show their talent, more creative thinking and innovative stories show up on the Metro page than in the big leagues of the national section. While the national reporters were following President Ford across the country or hanging on Henry Kissinger's every word, the Metro staff was out developing stories about how certain communities had reversed the trend of urban decay, and what the various departments of the city government actually did on a given day. Unfortunately, since Metro is as short on purpose and overall direction as the rest of the paper, numerous stories turn up in which the poor writer tried to wring 200 per cent more meaning from some event in Prince Georges County than was really there.

Seven Weeks Late

One big problem with being Billy Rose is that sometimes your stars don't come through. The *Post*'s September 29 edition, with its front-page story by Lou Cannon, illustrates how badly the show can flop when that happens. Cannon's story was a very long account of the last days in the White House bunker before the Nixon resignation. It was a competent enough job in itself, but an utter embarrassment for the *Post*, since virtually every other paper in the country had had the account weeks earlier. For the previous two years, the *Post* had been living off—and, of

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course, backing up—the efforts of Woodward and Bernstein for stories in this vein. But this time the two young reporters weren't exactly stumbling over each other in their eagerness to get the inside account to Bradlee. This time they had signed up to deliver the story to their publishers in New York, where it would be turned into a sequel to *All the President's Men*, to the delight of the book-reading public but the irritation of the readers of the *Post*. Whatever this said about Woodward and Bernstein, it said that Bradlee and Simons had a less than perfect understanding of the role that "instant histories" have come to play in interpreting major events.

The long background article, giving a how-it-happened account of a big event, such as a political convention, has long been an item in the traditional journalist's repertoire. But only in the last few years has instant-history of a more analytical sort emerged as a widely accepted genre. Journalists have learned that after an event of obvious importance—the spring 1968 decisions on the war, for example, or the "Saturday Night Massacre" of Archibald Cox in 1973—starts to calm down, they can look back at the episode as a source of instruction. By explaining how it happened, they can help us understand, and perhaps avoid, the worst mistakes, and profit from whatever bright spots there may be.

Newspapers have no monopoly on this genre; Aaron Latham of *New York* came out with the first good instant history of the Saturday Night Massacre, which put the pieces of the story together even though it contained not a bit of analysis. From 1968 onward many books and magazine articles were published about the Vietnam war; two examples which will be familiar to readers of this magazine, Daniel Ellsberg's *Papers on the War* and David Halberstam's *The Best and the Brightest*, showed how much an "instant history" could reveal through, in Ellsberg's case, rigorous analysis, and, in Halberstam's, detailed factual reporting. As soon as Nixon resigned, most newspapers recognized the importance of the instant-history approach—even the *Statesman* reprinted an inside-the-White-House story of the events of the resignation week. But the *Post* was not so quick to respond. When *Post* readers hooked up winches to haul the special "resignation" issue of the paper into the house, they could leaf through it for hours and find every story except the one they wanted—what had really happened in Dick's final days. Within the next few days, first the Knight papers, then *The New York Times*, then everybody else came up with the story, but it was seven long weeks before Cannon came through for the *Post*.

Leave the Routine to the AP

The more profound problem with running a Billy Rose operation is that the show could often be so much better if only you gave your stars some direction. If only the background and analysis stories were the result of some systematic idea of what the paper should examine, rather than being unexpected treats from bright reporters; if only Kessler and others like him got some support from the editors, instead of being harassed for taking so long to produce; if only the *Post* realized that it, of all papers, could afford to run AP stories on congressional hearings or White House press conferences instead of tying up some of its best reporters; if only it did some or all of these things, the *Post* would not only be "better" than its competitors, but would be rendering a public service proportional to its great potential.

One way to see just what kind of service the paper could render is to consider the small matter of inflation which has recently come to our attention. It has been clear for at least a year that one of the largest single reasons for the general price rise is the increase in the cost of food. Some of this, no doubt, is the result of Malthus

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on the march around the world, mowing down Norman Borlaug and his Green Revolution boys; but part of it has had to do with the previously mentioned crop-support policies. If the *Post* would assign two of its best reporters to spend two months going around the country to see how the government is affecting crop production, it could tell us how much we should blame Malthus and how much the clownishness of the Department of Agriculture. What we would lose is the routine daily stories the reporters would have churned out: what we would gain is some idea of where the changes must come in food policy. Also on the inflation front, the papers might examine the recent outrageous assertion by the oil companies that they will have to "pass on" the extra ransom that the sheiks have decided to charge for their oil. The companies will do this with tears in their eyes, we may be sure, but with no alternative but to enlist the rest of us in their sacrifice. These are the same companies whose profits rose by several dozen percentage points last year, and the papers might look into the questions, "Where is the money going?"

Here is a second suggestion—the papers might really examine defense spending instead of leaving it to the think-tanks and the disarmament groups. Recently William White of the Brookings Institution published a study showing how dramatically the costs of tactical aircraft have risen. The defense correspondents for the *Post* and the *Times* must have had access to the same information, but if they have presented it in their reports, they have been very quiet about it. Except when one of the services leaks a bad-mouthing report about one of the other services' projects, the papers almost never carry critical assessments of the costs and purposes of specific military programs.

The *Post*'s Pentagon correspondent, Michael Getler, had a story nearly every other day during the two-week sample. Most of them were straight-reporting jobs obviously based on newspegs the generals were hoping someone would use—"Soviets Increase Size of Missile Firing Sub," "Army Finds Tanks Can't Be Built Fast Enough," "Clements Sees Viet Arms Need," "Joint Chiefs Indicate Budget Cuts, Inflation May Change Strategy." Although Getler's stories contained just enough on-the-other-hand material to save them from being Pentagon shills, the sad thing is that he and his counterparts on other papers so rarely step back to do a detailed evaluation of defense spending. Several times a year, at least, they should be able to write *ab initio* studies of how and why the Pentagon is spending money; as White did, they could contrast the cost of one means of defense with the costs of alternate approaches. Familiarity with the confusing lexicon of defense is rare enough outside the military that the defense reporters should, as a public service, make better use of it than to write "Clements Sees Viet Arms Needs" stories, which could be left to the AP.

A third example of areas for possible exploration is the schools—public and private, elementary-level as well as institutes of higher learning. Most papers do have regular education coverage, but it usually concentrates on newspeg accounts of changes in funding or personnel, or new technical innovations rather than independent critiques of how different approaches are working out. This, like food and the common defense, is one of the central concerns of our daily lives, but the papers rarely face it head-on.

Here is another example, which the *Post* actually published in December: Why so many airliners have flown straight into hillsides and even level ground without any evidence of mechanical failure. More than 1,000 people have been killed in this kind of crash during the last three years, the 92 most recent victims dying in a TWA crash outside Washington's Dulles airport. After that accident, Paul Clancy of *The Charlotte Observer* wrote a special report for the *Post*

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which showed that nearly all the disasters could have been prevented if the pilots had been more careful or if the Federal Aviation Administration had been more diligent about requiring installation of a relatively cheap warning device.

For other examples, one only need run down a list of institutions which have had a major effect on our daily lives—the banks (which Martin Mayer has examined in his new book, *The Bankers*), the food companies (even those not involved in the "scandal" of the Russian grain deal), charitable organizations, large law firms, small consulting firms, professional crime, doctors, even the press. Most of these under-reported subjects come from the "private" sector—which reflects one imbalance of current journalism. Of the two great blocs which shape events—the public institutions of government, and the private institutions of the business and professional world—we now get perhaps one-tenth as much thoughtful reporting as we need about the public bloc and, at best, one-thousandth as much on the private. What Du Pont or Safeway does is at least as important as what the Democratic Party does at its mini-convention, but it is not treated that way in the papers. In its handling of business news, the national press, most closely resembles the "newspeg" mentality of the *Statesman*, since it takes something catastrophic, like a Franklin National Bank Failure or an antitrust suit against AT&T to get business onto the front page.

One possible explanation for the papers' reluctance is the curious concept of journalistic expertise. By their nature journalists are inevitably experts in a process—that of inquiry, analysis, and communication—rather than in any particular subject matter. In this sense they are no different from the lawyers who try a medical-negligence suit this month and a case involving business codes two months from now. The difference is that something in the lawyers' training gives them confidence that within a reasonable time they'll be able to bone up on a subject and deal with the real experts, while something about journalism produces a mortal fear of expertise. "Journalistic" is still a nasty thing to call a piece of writing that purports to be serious, and no one is more aware of that fact than journalists themselves. Their most frequent reaction is to avoid situations where the experts might embarrass them; they will not assess classroom education, for example, because they don't have master's degrees from the Harvard Education School. The tragedy is that the only people who will face the experts on their own ground are experts themselves, whose reports and evaluations are so clotted with sociologese as to lose nine-tenths of their value.

Another explanation, and perhaps the most significant, is that stubborn remnant of demon objectivity, the principle that "fact" and "opinion" must be kept in sterile isolation from one another in the newspaper. Opinion is banished to the arid wasteland of the editorial page and the daily columns, where there is virtually no fresh reporting and where the absence of fact makes the opinion hopefully flaccid. The news section also suffers, because it lacks the intellectual core around which it could arrange the facts in the most powerful and significant way. When "opinion" and "analysis" is added to the newspage, it needn't be done in a sneaky way, or at the cost of the necessary straight news reporting. As long as the reader is warned by an "analysis" slug or any other signal that something other than the Five Ws may be on the way, the paper should feel free to put all manner of interpretation and argument on its newspages.

The *Post* will always come closer than the *Statesman* to running the right kind of stories, because it has the all-star cast. But it won't come as close as it could unless it develops a clearer sense of purpose than it now displays. That is the sense which Billy Rose never had. ■

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PROUD MOMENTS IN AMERICAN HISTORY

Dust to Dust

by Alicia Tyler

If by their suffering and death they will have made life safer in [the] *future for the men who go beneath the earth to work, if they will have been able to establish a new and greater regard for human life in industry, their suffering may not have been in vain.*

—Report of the House Subcommittee on Labor, 74th Congress, investigating the Hawks Nest tunnel, February 5, 1936.

The Thirties. Hard times. The promise of work, a big tunnel job, is passed along the grapevine, so men hop freight trains headed for the West Virginia hills. Desperate for a job, they head for a site near Gauley Bridge, West Virginia, where hundreds of men ended up with a mysterious disease while excavating a tunnel and began "dying like flies" within a year after the job began. Some thought it was pneumonia, some thought "fever." A company doctor, in a ludicrous flight of fancy, called it "tunnelitis." One West Virginian summed it up simply: "You look at that tunnel there, and you think it's a mighty fine thing. Just from looking at it, a man would never know how many lives were sacrificed.

The tunnel was of singular importance to the expanding Union Carbide and Carbon Corporation, the key element in an ambitious $10-million hydro-electric project, designed to divert the meandering New River from Hawks Nest to a power station to be built near Gauley Bridge. The river would follow a path down a rugged three-mile course through Gauley Mountain. The power station's electricity would be used to fire the electric arc furnaces of a proposed smelting plant, run by Electro-Metallurgical Company, a Union Carbide subsidiary.

Construction on the Hawks Nest project began in the spring of 1930 when a Union Carbide-owned utility company announced that a $4.2 million contract had been awarded to Rinehart and Dennis Corporation of Charlottesville, Virginia, "one of the oldest and largest railroad contracting firms in the country," according to a local newspaper. They were given two years from that date, March 13, 1930, to complete the tunnel, dam, and powerhouse.

Rinehart and Dennis had no problem finding men to work, and they had plenty of jobs to offer. To meet the two-year deadline, the tunnel was to be driven from four headings—Number 1 from the lower end at Gauley; Number 4 from the

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upper end at Hawks Nest; and Numbers 2 and 3 from the middle of the mountain where a shaft was sunk down to the tunnel bed, and crews set out in opposite directions to meet the lower and upper crews. The tunneling would require over 800 men working night and day on two ten-hour shifts.

Generally the skilled workers—power shovel operators, crane operators, motormen—and the foremen came in from the South with the contractor, while unskilled jobs—drillers, drill helpers, steel nippers, muckers—were filled by local men and large numbers of southern Negroes who were recruited by company labor scouts promising steady work and good wages and then transported in boxcars to Gauley Bridge.

Rinehart and Dennis also found a fertile labor market in Fayette County. There were local men experienced in railroad tunnel construction, as the mainlines of four major railways criss-crossed the mountainous countryside and branched off into the coal-rich hollows. Local workers were hungry for jobs, too. The big logging days were over, and the coal industry was in a slump. The *Fayette Tribune* reported in the winter of 1928 that "dull times in the coal field have sent several young men into the army and navy." Within two years, 20 of the county's 109 coal mines had shut down, and annual production declined by over 750,000 tons. Workers were confronted with lower wages, fewer working days and uncertainty about the future.

For one local family, the prospects of tunnel work must have seemed a small bonanza in the face of the Depression. Charley and Emma Jones and their seven children lived in Gamoca, a small coal camp just above Vanetta on the Gauley River. As a young man, Charley had come to West Virginia to work on the railroads. On the day he got off a passenger train in Nicholas County, he caught the eye of Emma Johnson, a handsome young woman who was working in a boarding house. She waved a greeting to him, and when he waved back, she said to a friend, "That's the man I'm gonna marry."

Charley Jones had been mining coal for 18 years when the tunnel project began. Although he was making $1.80 a day for an eight-hour shift—80 cents was deducted from a day's pay for rent, coal, and electricity—Charley was concerned because the work wasn't steady. Some weeks the mine ran two or three days; other weeks, no work at all. One of the tunnel foremen, who made a habit of dropping by the Jones house in the evening to drink homebrew, persuaded Charley and the two oldest Jones boys, Cecil and Oren, to quit their jobs at the Midvale mine and go to work at the tunnel, where they could make 35 cents an hour nipping steel. They were soon joined by a younger brother, Shirley, a gentle boy who would entertain his classmates by drawing pictures and outline maps of West Virginia from memory. He was 16, and this job was his first. Shirley's friend, Oley Jeffrey, a boy who had lived with the Joneses for seven years after his mother's death, rounded out the family work force. Only later would they regret the decision to work on the tunnel.

Mineral Wealth

In excavating the lower end of the tunnel, the workers came across a rich deposit of silica sandstone which assayed as high as 99.44 per cent pure. "Like a tale from the story of Aladdin's lamp, boring of the tunnel has enriched the Union Carbide Company with untold wealth," a newspaper announced. The newspaper report was more than a metaphor; after the sandstone was discovered, the tunnel was extended from 32 feet in diameter to 46 feet or more to mine the valuable ore. Some 300,000 tons of silica rock were loaded into railway cars and shipped to the new ferroalloys plant on the Kanawha River for future use in the smelting of ferrosilicon, an iron alloy widely used

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in the manufacture of steel.

See, you had a two-foot bit, four-foot bit—went up by twos up to 16-foot. So if he started a hole, he had to have a two-foot bit. When he drove that two-foot bit down with a jackhammer or a liner drill in the headin', he had to have a four-foot bit. Well, he'd motion you with his fingers, and you grabbed the four-foot bit, and you run to wherever he was at. You had special drills up there that you watched. And whatever the helper on the drill motioned that was the bit he needed, you went with it up along the side of the tunnel up to where he was at.

Now, there was a drawback right there. When the shovel was dumpin' in the larry car back there, when the man swung around to dump back here, he couldn't see. You went up on the right side of the tunnel all the time, the nipper did. Well, if you started up there when he was unloadin' his bucket, when he brought it back around, that bucket scraped the rib of the tunnel. [During one period of time], *they averaged catchin' one there every shift, between the dipper and the rib. They'd hire a nipper anytime a boy'd come along that would nip steel. They'd hire him anytime.*

If a man refused to work in the tunnel, a foreman would run him out of the camp; or if a man became disgruntled, he just moved on, as a lot of them apparently did. "If them rocks don't fall on you and kill you," a young man told his friend, "the dust will. I ain't workin' here no more." According to company records, of the almost 3,000 men who worked in the tunnel, well over half worked less than two months and almost one fifth worked less than one week.

Now the air in there. I didn't tell you about the air. They had one of these little ole booster fans that they had on the outside to comply with the state law. See, that was just a straight hole in the mountain there. There was no way to ventilate it other than that booster fan and this tubin' that run up along the left side of the tunnel. And that, to the State, was a ventilation. But I went back there a many a time—it was just as flat as your hand, that tubin' was, no air comin' up in it. And wasn't from the first 50 foot in there. (The 24-inch canvas tubing, according to workers, was riddled with holes from the rock falls.)

Oh, buddy, the dust in that place! When all the hammers and headin' drills was a goin' and that shovel down there was a goin', you couldn't see a. . . you had to bump *a man before you'd know where he was at. And, like I say, that's the reason you had to signal* [relay] *the signs down off the benches to the nipper boys. They couldn't hear. Dust. . . you'd rake your face or any part of your flesh, just like rubbin cement along toward the last of the shift.*

The hazards of breathing silica dust were well known to civil and mining engineers in the 1930s; and the most common method of reducing the deadly dust in the air, wet drilling, had been advocated by the U. S. Bureau of Mines since 1914, when 433 lead and zinc miners out of 720 examined in the Joplin, Missouri, area were found to have silicosis. In spite of the obvious hazards, jackhammers on the benches of the Hawks Nest tunnel drilled dry because, as workers explained, water would choke up the bits, slowing down the operation. Workers later charged that safety precautions were not taken because the contractor wanted to save time and money—and didn't expect them to die so soon; silicosis usually takes ten to twelve years to develop.

I never seen no time that you could see over ten foot, no time. And the only time that you could was between the time that you quit drillin' and the powder monk put the powder in the holes. Then you run back there 2,000 foot from where they was gonna shoot. You'd get just as tight agin the rib of the tunnel as you could get, and when they put the shot off, it would rock you backwards and forwards there eight or ten times,

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the concussion would. Now just as soon as the shot went off, [foremen] *Bill Watts and Arthur Andrews—"Let's hit the headin', boys!"*

You'd go up there sometimes, and the fumes of the 60-percent dynamite would almost smother you out, but you went anyhow. You didn't question whether it was too smoky, too dusty, or what. You hit the headin' if you stayed there. It would stay blue from one shot in there to the next. And that's what you lived in. We worked 10 hours a day, 30 cents an hour, three dollars a day.

Unusual Number of Deaths

The first report of problems on the giant hydro-electric project, other than occasional newspaper accounts of accidents, surfaced in a terse society note from Gauley Bridge, published in the *Fayette Tribune* in February of 1931, less than a year after the tunneling began: "Their [sic] is a great deal of comment about town regarding the unusually large number of deaths among the colored laborers at the tunnel works of the New-Kanawha Power Company. The deaths total about 37 in the past two weeks."

Along toward the last of the tunnel work, colored fellers would come out on the highwall there and stand there and sleep like a bunch of cattle. They'd get 'em a dime's worth of cheese and a box of crackers. That was about the limit of their meals. Had a little place up on top of the highwall where they'd sell pop and crackers. Called it a commissary.

And they'd been sleepin', several of them had, just come out there and fall up agin the highwall. This Walter Fields, he worked there, too, see, on the same shift I worked. Well, we went over there one evening, and Fields, he was standin' there, leanin' up agin the highwall, and larry cars went up there and stopped to pick 'em up, you see, to go inside to go to work. All except Walter, he was still standin' there. And I thought he was asleep, and everybody else thought he was still asleep. So he was still standin' there, and Andrews hollered at him, "Time to go, Fields." Well, he didn't go. And he hollered at him again, "Let's go, Walter." So he didn't move that time, and Andrews jumped off the larry car, and he went over and hit him on the shoulder. "I say she's time to go, Fields!" And when he hit him, he just kept on a goin'—done stood there and died *and was stiff!*

Incredibly there was no elaboration in the local paper on the troubles in Gauley Bridge. Rumors circulated wildly about the number of men dying. Some, it was said, were dumped in the river bed and covered with the tunnel rock. Others were transported to Nicholas County and buried unceremoniously on a private farm. A black woman, whose husband had been buried hours after his death, angrily had his body exhumed—there were three others stacked on top of him, wrapped in cloth. The undertaker, who was paid $55 a head by the company, later insisted that he had buried only 33 persons on the farm. No one had claimed the bodies, and survivors were not known. Pneumonia, according to the undertaker, was given as the cause of death in most instances.

In May, Robert M. Lambie, chief of the State Department of Mines and a native of Fayette County, accompanied by the Fayette County sheriff and prosecuting attorney, began an investigation of working conditions on the tunnel project. The Department of Mines had side-stepped the Public Service Commission and claimed jurisdiction over the project because the silica rock was being mined. According to the *Fayette Tribune*, the investigation was "precipitated by an unusual number of deaths. . . through accidents and disease" the previous week, and the death rate was "high, especially among colored workers." The article revealed that the *Tribune* had "been appealed to on more than one occasion to lay bare these atrocious conditions against human-

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ity" and expressed the newspaper's hopes of publishing Lambie's report in the following week's edition. No report, or any further mention of the investigation, appeared in the local newspaper.

In early August of 1931, the Number 1 heading broke through to Number 2, within one inch of the engineers' calculations, and a gala celebration was held for over a thousand prominent West Virginians at Hawks Nest in a clubhouse overlooking the New River gorge, more than a thousand feet below. The guests were entertained by a local orchestra and dancing troupe, then led to a sumptuous banquet under a "canopy of arching forest trees." As they approached the tables, they walked by a 100-foot-long trench, where mutton, pork, and ox were being roasted or barbecued whole over the smoldering fires. It was, in the opinion of the *Fayette Tribune*, a "novel" dinner for most of the guests.

I was out there one evenin', oh, just before I quit work over there. And I told some of the fellers around there in the tool shed where they sharpened bits, "I'll be daggoned if I don't believe that dust'd kill a man." I didn't no more than get it out till—Andrews was there, see. "Now," he said, "Mullins, don't let me hear you say that *again. I've put 28 years in tunnels, and it hasn't hurt me yet. If you get that started around here, Rinehart and Dennis won't be able to hire the first man to this work." He said, "This tunnel has got to go through, and if you expect to stay here, you keep that kind of stuff to yourself."*

In the fall, after the crews on Numbers 3 and 4 had "knocked the headings," an alarming number of men became sick with what was believed to be pneumonia or "fever." They complained of chest pains, shortness of breath and of generally feeling run-down. A company doctor called it "tunnelitis" and gave the men soda tablets, whose bitter taste was not easily disguised by a black sugar coating—"little black devils," the men called them. But unlike before, the illness could not be blamed on a steady diet of nickel pies and soda pop or sleeping in wet overalls in overcrowded shacks. The men getting sick in the fall of '31 were white.

Nothing to Worry About

All along, Emma Jones had feared the powdery tunnel dust which collected in the hair, in the eyebrows, and on the clothes of her menfolk. When they came home from work and dropped their clothes on the floor, the dust would scatter all over the room. She had worried when she washed their clothes and found a sediment two inches deep in the bottom of the washtub—she even showed it to the neighbor women who lived along the creek. When her son, Shirley, came home one evening in September, complaining that he couldn't get his breath, Emma kept him at home. "Well, if you never feel no better, you'll not work no more." Andrews, the foreman in the Number 1 heading, dropped by the house to ask why the boy was not at work, and Emma told him she thought the tunnel dust was killing the men. No, Andrews said, it was just a foolish idea of hers. He had worked in tunnels for 30 years, and he knew it wouldn't hurt them.

In the spring Shirley was worse—his weight had fallen off considerably—and Cecil, Oren, and Oley Jeffrey were sick too. Charley continued to work, while Emma cared for the ailing boys. She would carry Shirley from his bed to the table or from his bed to the porch, where he sat propped up while she changed his sheets. The fresh outside air seemed to help some, but it was obvious that he wasn't getting better. Soda tablets and bed rest were not curing the boys of their illness.

Emma was not satisfied with the company doctor's diagnosis; in desperation she begged money to put the two older boys in a Charleston, West Virginia, hospital for chest x-rays. The

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x-rays were read by a local doctor, Leonidas Ryan Harless—"Doc Harless was an old country doctor and a good one"—and he became intrigued with what he saw. Several years before at a conference, Dr. Harless had heard Dr. Emory Hayhurst, one of the country's leading authorities on occupational diseases, give a lecture on silicosis. Ironically, Dr. Harless was, at that time, a company doctor for the Electro-Metallurgical Company. When he saw the chest x-rays of the Jones boys, Dr. Harless remembered the disease and consulted all the literature on the subject he could find.

Dr. Harless told the Jones family about the strange disease. Was it a new one, Emma had wanted to know. No, he explained, silicosis went back to the time of the pharaohs and the building of the pyramids. (Some of the townspeople, after hearing this tale, began to whisper that Doc Harless lived in fantasy.) The difficulty lay in proving the existence of the disease after such a short period of exposure; the Jones boys had only worked in the tunnel for a little over a year. Shirley, who had been too sick to go to Charleston for an x-ray, told his mother that he wanted to be opened up when he died, to see if it was the dust that killed him. Then his mother could get compensation; and she would need it when he was gone, because "the rest of them are going, too."

Toward the end, Shirley was like a living skeleton, just "hide, bone, and leaders," and in June of 1932 he died. As requested, Dr. Harless performed an autopsy and removed the boy's gritty lungs. His suspicions of silicosis were confirmed.

After it got to the place where the silicosis was talked a lot, that's when the lawyers came down here and got all those fellers. See, there was about 30 families of 'em lived up there at that old camp, Vanetta. Well, they came down here and wanted everybody that had worked in the tunnel. Was talkin' about how bad they was, you know, and what stage of silicosis they were in. And they was gonna bring suit against Rinehart and Dennis for killin' 'em out that way.

After everybody got their suit in, Doc Harless called in four doctors from around Cincinnati, and Mayo Clinic, I think was one, and Cleveland Clinic, and Baltimore. They had five doctors here that checked everybody. And they was a lot of those fellers that was pretty well done in. They came over there and asked Boomer, the store manager at Vanetta, if they could carry a little account there, you know, until they'd get this silicosis money from Rinehart and Dennis. Well, he said yes, we'll advance you a little to get along on, provided you sign over what you get for silicosis to the company here.

On a Sunday morning in September, the oldest Jones boy, Cecil, died after struggling so hard for his breath that he kicked the wooden slats out of the baseboard of his bed. An analysis of Cecil's lungs revealed that half of their ash content was silica—about five times greater than the percentage normally found in the lungs of the average adult male. His suit against the contractor, filed on behalf of his widow, Dora, and two children, became the test case on which the fate of the other workers rested. Rinehart and Dennis contended that because the company was a subscriber to the state compensation fund, the tunnel workers were barred from bringing suit against it. In February the West Virginia Supreme Court ruled that because silicosis was not compensable under the State Workmen's Compensation law, the tunnel workers had right of action at common law, and the floodgate of damage suits was opened.

Telling This Story

The first suit to come to trial in Fayetteville was that of Raymond Johnson, Emma Jones' 37-year-old brother. Johnson's attorney charged that in order to speed up the work, Rinehart and Dennis had ordered dry

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drilling, which created a hazardous cloud of silica dust in the tunnel.

A parade of tunnel workers, white and black, took the stand during the two weeks that the plaintiff's case was presented; they described the dry drilling on the benches and the effects of breathing air heavy with rock dust and gasoline fumes. Often workers had been carried from the tunnel to the outside, overcome with carbon monoxide. After the dynamite shots were fired, the men testified, foremen would order them into the heading before the dust had settled. A number of Gauley Bridge townspeople testified in Johnson's behalf, including two ministers and several local shopkeepers. They had many opportunities to observe the workers returning to their homes from the tunnel, and all agreed that a white, powdery dust covered their hair and clothes.

Johnson exhibited his emaciated chest to the jurors—he was 5 feet 11 inches and weighed 143 pounds at the time of the trial—and related to them both the symptoms of his disease and his mental anguish. In Dr. Harless' opinion, Raymond Johnson was in the beginning third, or last, stage of silicosis and, as the doctor told the crowded courtroom, would probably die within the year. (Johnson died 20 months later in November 1934.)

Counsel for the defense maintained that the Hawks Nest tunnel had the best ventilation of any ever constructed by Rinehart and Dennis, a company which had been in the contracting business for 30 years, and then brought forward an impressive battery of officialdom to describe the safe, even ideal, working conditions on the tunnel project.

C. C. Waugh, a superintendent in the Number 1 heading, told the jury he had worked 12 to 14 hours a day on both shifts and had missed only five days of work during the project. He testified that the working conditions and machinery on the Hawks Nest job were the best he had known in his 35 years of experience in tunnel construction. The drills were operated with water at all times, and there was plenty of fresh air in the tunnel and little or no dust. He denied the plaintiff's charges that he had used a system of signals to warn men to put water on the drills when the mine inspectors came. (Two tunnel workers testified three years later at the congressional hearings that Waugh and a number of other foremen in the Number 1 heading had died of silicosis.)

Finally, the defense called on medical witnesses who testified that Johnson was not suffering from silicosis. Dr. Henry K. Pancoast, an expert roentgenologist and respected pioneer in silicosis research, interpreted two of the plaintiffs' chest x-rays for the jury. In his expert opinion, the shadows in Johnson's lungs indicated advanced tuberculosis.

It would seem that the workers were even betrayed by their x-rays, which revealed a general haze or cloudiness in the lungs, rather than the nodules characteristic of silicosis. Dr. Leroy Gardner, director of the Saranac Laboratory for the Study of Tuberculosis, wrote after examining the lung tissues and antemortem x-rays of nine tunnel workers: ". . . microscopic examination revealed so many silicotic lesions, it is perhaps surprising that the x-ray failed to detect them." In seven of the nine tunnel workers "caseous tuberculosis pneumonia was so extensive that it obscured any other lesion which might have been present." And yet, an analysis of the ash content of the lungs revealed "as much silica as those of South African gold miners employed for long periods."

At the end of five weeks, the case was sent to the jury. After a total of 32 hours deliberation, the jury reported to Judge J. W. Eary that they were hopelessly deadlocked, and he discharged them. Reportedly, they stood 7 to 5 for the plaintiff.

Two months later, under threat of another trial, the $10,000 suit of Cecil Jones' widow, the attorneys for over 300 claimants effected a settlement

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with Rinehart and Dennis for $130,000, about three per cent of the approximately $4-million damages sought. Fifty per cent of this settlement was retained for legal services; the remainder was distributed by the plaintiffs' attorneys to the families of the deceased and among those men found to be suffering from silicosis by a three-man commission made up of Dr. Harless, Dr. Hayhurst, and Dr. Hughey of Charleston. The money was awarded to 146 claimants in amounts of $1,000 and under, according to severity of illness, officially—unofficially, marital status and race were also taken into account.

The checks were handed over at Lane's garage in Gauley Bridge after the men and women signed papers providing that, for a dollar in hand, they would release all claims against Rinehart and Dennis Company. Cecil's widow received $1,000, and the Jones family received $800 for Shirley's death, $800 for Charley, who was also suffering from silicosis, and $500 for Oren. In August, another round of lawsuits was begun by different lawyers, and it was discovered that the plaintiff's Fayetteville law firm had been paid $20,000 by the general manager of Rinehart and Dennis to effect the earlier financial settlement. $10,000 of the fee was recovered and distributed among the claimants—the Jones family received a check for $125. By October, both Oren Jones and Oley Jeffrey were dead.

The next trial, *Lewis Scott v. Rinehart and Dennis*, was set for hearing in May 1935, but by that time, defense attorneys were able to plead that the case was barred by the statute of limitations—it was over a year since Scott had quit working for the contracting company—and they were sustained by both the circuit court and the West Virginia Supreme Court. Over 200 pending suits were stricken off the record by the ruling, and the contractor made final settlement with the claimants for $70,000.

So after I had left the tunnel, I went back in the mines. And I met Arthur Andrews there in front of the Rexall's in Gauley Bridge, I'd say a year and a half after they had completed the tunnel. He was comin' up the walk there with a cane. And I'd heard that he was just about washed up. He couldn't hardly get along, see. He was pantin' just like I am now, or worse. I knew that he had had it, 'cause I'd seen a lot of fellers that had died out with silicosis.

He got up to where I was at, and I said, "Andy, you remember what you told me over there at the bit shed one time, that you'd worked tunnels 28 year and it hadn't hurt you any? Now Hawks Nest has got you, boy.

In 1938, after exposes in the radical press, leftist editor Frank Palmer brought Charley and Emma Jones, along with three other tunnel workers, to Washington to testify before a House labor subcommittee, and for several weeks the Hawks Nest tunnel claimed a national audience. The brave contingent from Gauley

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Bridge, along with those they had left at home, hoped that federal legislation compensating victims of silicosis would be passed as a result of their efforts. After testifying, they were shuffled off to New York City and a bewildering tour of radical social functions in an effort to raise money to send more workers to the Washington hearings.

Like a faded vaudeville act, they returned to Gauley Bridge. Belated gifts of food and clothing poured into the small mountain town on the heels of the national publicity, but efforts to intensify the congressional investigation with additional funds and the power to subpoena witnesses failed. Officials of Rinehart and Dennis had declined an invitation to appear before the subcommittee on labor, denying "each and every allegation which refers to us and our work." After hearing the witnesses who did testify, the subcommittee concluded that the "whole driving of the tunnel was begun, continued, and completed with grave and inhuman disregard. . . for the health, lives, and future of the employees."

Set Up A Committee

Federal silicosis legislation was not forthcoming. The growing national concern over silicosis, which had gained a sense of urgency from the Gauley Bridge tragedy, was sidetracked when, "in view of the many misunderstandings. . . relative to. . . silicosis," the Secretary of Labor called a National Conference on Silicosis to study various aspects of the problem and report their findings. Of the 133 invited guests, only eight were representatives of labor; the remainder were heavily weighted toward industry, insurance carriers and government administrators. The conference effectively delayed any federal action—the committee reports were released ten months later, and by that time public interest had subsided.

The problem of silicosis which threatened an estimated one million American workers in mines, quarries, foundries, potteries and even scouring powder factories, was left up to the states. At the time of the congressional hearings, only 11 states had laws compensating victims of silicosis; within a year bills had been introduced in 40 state legislatures to extend workmen's compensation coverage to victims of silicosis and other dust diseases. The end result was a patchwork of state laws with differing criteria, not always relevant to the disease itself. A particularly ironic example was the West Virginia legislature's response to the local tragedy. In 1935, silicosis was made a compensable disease under state law, providing, among other things, that the worker has been "exposed to the inhalation of silicon dioxide dust. . . over a period of not less than two years in the same employment." No man worked on the tunnel excavation at Hawks Nest for more than 18 months.

Some hearts in the "town of the living dead" were not touched by the glaring national spotlight. They were outraged. A number of business and professional people in Gauley Bridge sent a petition to newspapers all over the country, protesting the "slander and abuse" of their town by "communists and traducers." Gauley Bridge was "never more thriving and prosperous." One civic leader maintained that less than two per cent of the town's population had been employed by Rinehart and Dennis on the tunnel project. The "silicosis racket" had nothing to do with Gauley Bridge: "Many undesirables, mainly Negroes, came among us seeking employment during the big construction, and many of them remained afterwards for lack of other work to go to. Some of these have been in distress and have been misused by troublemakers. . . . " As for the miners from nearby coal camps: "Some of the native-born poor, whom the Bible says 'we have with us always,' have likewise been misused in the same way."

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Within two months of their pilgrimage to Washington, Charley's $2-a-week relief allowance was cut off. (When the Joneses had applied for assistance, Emma told the relief worker who questioned how she could keep their cow on only $2 a week: "One week I'd buy feed for the cow, and the next week, I'd buy flour for the children." A local relief board designated Emma as the "priority worker" for the family of eight, and she was assigned to a WPA sewing room in Gauley Bridge, about a five-mile walk from their new home in Humphrey Town. In five years Charley died, his heart enlarged by the difficult job of pumping blood through hardening lungs.

I never went to a mine after that where they examined people for a job that it wasn't the first thing that I thought of. Now, I know they're gonna find me with silicosis and turn me down.

Of course, I was fortunate. The only place that I went for a job that found and finally rejected me for silicosis was in 1960 over here at Snap Creek in Logan County. I had to go to Man hospital, and they x-rayed my lungs. Now it used to be that a lot of coal companies through here didn't x-ray you for lung trouble. And when they did start x-raying men, naturally I couldn't pass a test, because I was in second stage of silicosis just before the trial that they had over here for the tunnel men.

And I worked up till 1969, and I got to where I couldn't breathe in the mines, you know, and would take blackout spells and fall out, and didn't know where I was at. Well, I still do. Can't get my breath, see. You get to the place where you can't lay down, you can't get your breath. It depends on the atmosphere just how well you do during the day. Some days I do pretty good; some days I don't do too good. Most of the time I just sit, just like I am now.

Doc Harless told us down there that 40 years from that day, whatever day it was that they examined us, there will be men dyin' from the effects of Hawks Nest tunnel. So I see now that the old feller pretty well knew what he was talkin' about. I'd give a lot if I had never went in there. Knowin' how the Jones boys, Oley Jeffrey, and all the ones that I knew that worked there—I know how they died. And I know how they gasped for breath.

Well, I can see myself gettin' in the same fix that they was, see. And it's been, not what you'd call a dread, but I just hate for the time to come when that's what's gonna eventually wind up with me. And nothin' you can do about it.

So it's just one of the things that happens in some people's lives. They might live a while after they get out of them, but it's always on their mind.

As we progressed into the 1940s and 50s, the coal mines were mechanized and the white clouds of silica dust at Hawks Nest were replaced by black clouds of coal dust throughout Appalachia. The new mining machinery produced the dust, which in turn caused black lung in those who breathed it. The coal companies denied the existence of such a condition. So did their doctors. So did the state and federal government. It wasn't until 1969, after thousands of men had been disabled and had died that there was any official recognition of black lung.

If by their suffering and death they will have made life safer in [the] *future for the men who go beneath the earth to work, if they will have been able to establish a new and greater regard for human life in industry, their suffering may not have been in vain.*

—Report of the House Subcommittee on Labor, 74th Congress, investigating the Hawks Nest tunnel, February 5, 1936.

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PROUD MOMENTS IN AMERICAN HISTORY

Caring for the Natives

by Hamlet J. Barry

In early February, 1942, just two months after Pearl Harbor, American forces attacked the Japanese for the first time. Carrier planes struck Japanese bases in the Marshall Islands, 2,000 miles southwest of Hawaii. The fighters attacked airfields at Milli, Kwajalein, Maloelap, and Wotje atolls, and the Japanese Navy and seaplane base at Jaluit atoll, and then retreated to the carriers. The Marshall Islands did not see American bombers again for 22 months, when, in preparation for an invasion, the bombing began on a daily basis.

In late 1941, 26-year-old Ukokot Libokmeto sailed from his home atoll of Ebon, to Jaluit atoll, about 75 miles to the north, to sell a boat and replenish supplies for his general store. Unknown to Ukukot, the war was approaching, and the Japanese at Jaluit refused to let him return to Ebon, forcing him to work on the military installations at Jabor, Jaluit. On the morning of February 2, 1942, Ukukot, his wife, and son awoke to the sound of attacking airplanes. American pilots, unaided by intelligence reports and probably ignorant of the presence of Marshallese at Jabor, were apparently unable to distinguish military targets from other buildings. Ukukot Libokmeto was killed by an American bomb dropped on the Marshallese housing area at the northern end of Jabor Island.

From an American point of view, the February 2 incident is of minor significance in the history of World

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War II. For the inhabitants of the Marshall Islands, however, it marked the beginning of 30 years of contact with the American military. Since then the Marshallese have often found themselves on the receiving end of military actions which were designed for the benefit of someone else, and which completely disregarded not only their legal rights, but their personal lives as well.

The morning of March 1, 1954, was different from all other mornings for the 82 residents of Rongelap atoll in the northern Marshalls. One hundred miles to the west of Rongelap, Joint Task Force Seven detonated "Bravo," American's second hydrogen device and the most powerful bomb yet tested, later estimated to equal 15 million tons of TNT.

"Bravo" consisted of 200 pounds of uranium 235, 200 pounds of lithium deuteride, and more than a ton of uranium 238. When it exploded it created a fireball three to five miles in diameter and produced a sun-like glow on the horizon at Rongelap. In two separate pulses, "Bravo" expended a third of its energy in x-ray and thermal radiation, and half its force went into a high pressure shock wave which sped outward from the Bikini site at more than 2,000 miles per hour. In the initial explosion "Bravo" riddled the surrounding area with a small percentage of its energy in the form of neutron and gamma rays. The force of the explosion pulverized several hundred million tons of the Bikini reef and lagoon, lifting it in the form of water vapor and calcium oxide into a giant mushroom cloud that towered 21 miles into the sky within ten minutes of detonation. The remaining energy of "Bravo" was deposited as residual radiation in the uplifted water and coral. The results of this last ten per cent of Bravo's energy would hound the U.S. military and the people of Rongelap for the next 20 years.

Before the detonation, Bikini atoll was evacuated. The ships of Joint Task Force Seven lay 30 miles to the east of the atoll. Shipboard observers knew immediately that something was terribly wrong. Bravo was considerably larger and more forceful than anticipated, and, more significantly, the wind began to carry the mushroom cloud to the east—toward the ships and Rongelap—rather than to the west as predicted. Not only was Bravo a blast of monumental size, it was the first to utilize a fission-fusion-fission process, creating an exceptionally "dirty" bomb. The harmless looking clouds which the wind pushed eastward contained water vapor and calcium oxide saturated with millions of rads (a "rad" is a measure per unit mass of radioactivity) of gamma and beta activity. The ships of Task Force Seven turned south to escape the radiation.

Prior to the detonation of Bravo, the military placed 28 RadSafe (Radiation Safety) monitors on uninhabited Rongerik atoll, about 30 miles east of Rongelap. Shortly after the blast those men received word by radio that the radioactive cloud was heading east, and that they should put on extra clothing and remain inside their prefabricated metal building. Soon the decision was made to evacuate the 28 Americans, and 34 hours after the blast, the RadSafe crew was aboard ship, heading away from the area. To reach Rongerik, the ships of Task Force Seven had to sail past Rongelap. The populace at Rongelap was not evacuated, in spite of the fact that the atoll was closer to Bravo than Rongerik.

At Rongelap the people saw the strange orange glow on the western horizon and heard the sound of Bravo, and wondered if another war had begun. Several hours later a strange white ash began to fall on the atoll, and within several hours two inches of "snow" blanketed Rongelap. The next day some RadSafe monitors visited Rongelap by plane and told the people not to drink the water. Twenty-four hours later ships appeared in the lagoon, and the people were told that they must leave

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Rongelap or they would die. Sixty hours after the Bravo blast all the people were evacuated by air or ship to Kwajalein. So powerful had been the explosion and the "snow" so filled with poison that the Rongelap people were not allowed to return home for three years, and even then the Rongelap environment was still radioactive and dangerous.

Since there was no RadSafe monitor on Rongelap in March 1954 we will never know exactly how much exposure to radioactivity the people there received. Based on later estimates, samples from the fallout at Rongerik, and recalculations from earlier data, the probable whole body gamma dose at Rongelap was 175 rads, plus or minus 25 rads. The minimum lethal dose for man is probably about 225 rads. At 500 rads half the exposed populace will die. On Rongelap several effects were immediately evident. Many people lost all their hair and some skin, and everyone received beta burns to a greater or lesser degree. Some radio-nuclides were ingested or inhaled by the Rongelapese, particularly nuclides of iodine and strontium. The children's thyroid glands, which control growth, received from 700 to 1400 rads, while adult thyroids received 160 rads.

The Atomic Energy Commission (AEC) has been following the exposed populace of Rongelap since 1954. Each year the AEC—through the Brookhaven National Laboratory—sponsors a medical survey of the island. During the tenth annual survey small thyroid nodules were discovered on three young girls. Despite the fact that earlier surveys noted that some exposed children were slow to grow, no thyroid medication for the exposed populace was administered until after the discovery of the nodules. Since 1964, similar problems have occurred among 19 inhabitants of Rongelap. All have been operated upon to remove the thyroid nodules, and in four cases the nodules were found to be malignant. There is no question that Bravo is the cause of the thyroid nodules. Treatment and removal of the nodules has been generously paid for by the AEC, and the whole exposed populace now receives thyroxine to retard the development of nodules. In spite of the belated administration of thyroxine, nodules continue to occur. Three more Rongelapese were operated on in June 1974.

In September 1972 19-year-old Lekoj Anjain was examined on Rongelap and found to have a low white blood cell count. He was taken to Honolulu, and then to Brookhaven, where the diagnosis was acute myelogenous leukemia. Lekoj was admitted to the National Cancer Institute where he shared a room with columnist Stewart Alsop, who was also undergoing treatment for leukemia. Ironically, Alsop had originally reported on the Bravo detonation of 1954. Alsop wrote a graceful and poignant column for *Newsweek* (October 30, 1972) devoted to Lekoj. Lekoj died on November 15, 1972. Later, in a chapter in his book, *Stay of Execution*, Alsop wrote:

"There was. . . the depressing feeling, hard to shake off, that I had been responsible for Lekoj's death. There was the further feeling, as hard to shake off, that we Americans were responsible for his death—that we had killed him with our bomb. His was the first death from a hydrogen bomb, and the bomb was ours. And finally, there was the feeling of the desperate, irrational unfairness of the death of this gentle, oddly innocent young man." ■

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political book notes

Public affairs books to be published in January

The Airship. Basil Collier. Putnam, $12.95. The author argues convincingly for a new look at the large rigid airship as a solution to the energy and pollution problems. The use of helium would prevent another Hindenburg disaster.

The Bankers. Martin Mayer. Weybright & Talley, $15. The author attempts—successfully more often than not—to explain a banking system few understand. The concluding chapter is comfortingly titled, "Living on the Edge of the Abyss."

The Border States. Neal R. Peirce. Norton, $12.95.

Blue Collar Community. William Kornblum. Univ. of Chicago, $9.95. Kornblum displays a fondness for words like "primary group formation" and "primordial sentiments of kinship" and just barely avoids the most common occupational disease of sociologists—draining the life from the people they set out to describe. He argues that when different ethnic groups are thrown together in factories, they eventually form friendships based on union and local politics. One hopes he is right.

China Diary: Crisis Diplomacy in Dairen. Paul E. Paddock. Nash, $7.95.

Clean Air: The policies and Politics of Pollution Control. Charles O. Jones. Univ. of Pittsburgh, $12.95.

Crisis: The Loss of Europe. Charles A. Cerami. Harcourt, Brace, Jovanovich, $7.95.

Decisions in Israel's Foreign Policy. Michael Brecher. Yale, $25.

Dossier: The Secret Files They Keep on You. Aryeh Neier. Stein & Day, $7.95. The executive director of the ACLU offers a chilling presentation on the abuses of record-keeping by government and private institutions. Although marred by a rather one-dimensional outlook and by overheated rhetoric—"The dossier-mongers never rest"—the book contains enough details about damage done by slanderous data to scare almost anyone. One example: A Vietnam vet with an injured eye was refused treatment because he once went home for Christmas a day early. Among the worst offenders, Neier says, are those who brand children for life as "troublemaker" with the stroke of a pen. Some solutions: Destroy all arrest records that do not result in conviction, and allow citizens to correct dossiers.

Education Is a Shuck: How the Educational System Is Failing Our Children. Carl Weinberg. Morrow, $6.95.

Evolution of American Urban Society. Chudacoff. Prentice-Hall, $12.50/5.95.

God, Caesar, and the Constitution: The Court As Referee of Church-State Confrontation. Leo Pfeffer, Beacon, $15.

Global Reach: The Power of the Multinational Corporation. Richard J. Barnet, Ronald E. Muller. Simon & Schuster, $9.95.

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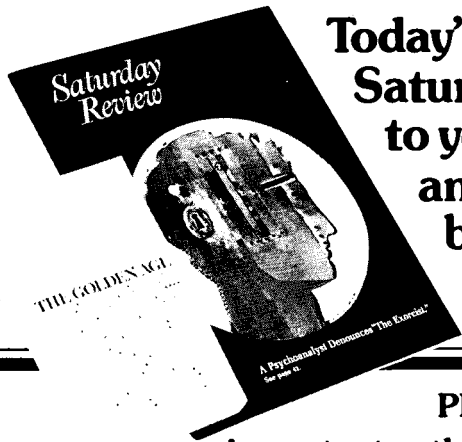

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